Citizens in the Graeco-Roman World

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Citizens in the Graeco-Roman World

Aspects of Citizenship from the Archaic Period to AD 212

Edited by

Lucia Cecchet
Anna Busetto

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Preface

This book takes its inspiration from an international conference held in Urbino in 2014 on the topic "Citizens, Ancient and Modern. Questions and Debate on Citizenship in the ancient world and today", organized by the editors of this book and generously funded by the University of Urbino in cooperation with the cultural association *Rodopis—Experience Ancient History*.

The original idea of a conference on ancient citizenship was suggested to us by the many questions raised by the peculiar historical period in which we live. As we all agree, Europe is today witnessing an extraordinary and, hitherto unknown, phenomenon of immigration of people especially from the Near-Eastern and African countries. According to the UN Refugee Agency, 59.5 million people worldwide were forcibly displaced in 2014.[1] The Agency reports that "the 28 Member States of the European Union registered 570,800 asylum claims in 2014, a 44 per cent increase compared to 2013."[2]

The massive movement of people towards Europe is currently fuelling a lively political debate on the integration of immigrants into European societies. In a short-time perspective, the question is how to welcome and integrate these people into our communities, and how to face the political, economic, social and religious challenges that mass migration brings with it. In the longer term, one wonders how this phenomenon will eventually affect both the EU as a communitarian institution and our understanding of European citizenship.

Despite significant differences within the contemporary world, migration-phenomena were indeed already known in antiquity. The set of questions prompted by intensive immigration in contemporary Europe can, *mutatis mutandis*, be applied to the ancient world. How did ancient cities respond to the need of integrating foreigners? What did citizen rights entail and how did the practice of granting citizenship change from the world of the classical and Hellenistic *poleis* to the more integrated system of the Roman Empire? How did ancient political thinkers regard citizens and citizen rights in a world that was becoming more and more cosmopolitan?

These are some of the central questions on which the Urbino conference focused. This book contains an assortment of papers on these topics: based on

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1 Global trends 2014: http://www.unhcr.de/service/zahlen-und-statistiken.html.

2 Asylum trends 2014: http://www.unhcr.de/service/zahlen-und-statistiken.html. Roughly 300,000 asylum seekers arrived in EU-members states in the first quarter of 2016, among which the first three nationalities were Syrians, Iraqis and Afghanis, according to Eurostat data: http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_quarterly_report.

the study of mainly literary and epigraphic evidence, it explores the processes of formation and re-formation of citizen bodies, the integration of foreigners into ancient cities, the question of multiple citizenship-holders and the political and philosophical thought on citizenship. One *caveat*: the present book is not a companion to ancient citizenship and it does not aim at covering the full range of questions concerning this topic in the ancient world. Instead, it discusses some key-aspects of citizenship from its first emergence in the Greek communities of the archaic period until the decades preceding the Antonine Constitution of AD 212, the formal act with which citizenship was extended to (almost) all the free inhabitants of the Empire. The papers are grouped into three sections which will, hopefully, guide the reader in identifying the three central subjects, i.e. "Defining the citizen body in the Greek *poleis*", "Citizens and non-citizens in the Roman world", and "Ancient citizenship in the philosophical and political reflection".

In overseeing this volume, it became increasingly clear to us that the questions dealt with are all very relevant to the world in which we live, which is becoming, at least as far as Europe is concerned, more and more cosmopolitan, closer and closer to facing the question of integration, naturalization and relations between citizens and non-citizens. We sincerely hope that these papers will stimulate further discussion on these topics both in the ancient world and in contemporary societies.

Lucia Cecchet and Anna Busetto

List of Abbreviations

AE	*L'année épigraphique*, Revue des publications épigraphiques relatives à l'antiquité romaine. Paris. 1888–.
Aphrodisias	McCabe, D.F. 1991. *Aphrodisias Inscriptions*. Princeton.
Archaïe III	Rizakis, A. 2008. *Archaïe III, les cités achéennes: épigraphie et histoire* (Meletemata 55). Athens.
Asklepieion	Peek, W. 1969. *Inschriften aus dem Asklepieion von Epidaurus*. Berlin.
BCH	*Bulletin de Correspondance Hellénique*. Paris. 1877–.
BGU	*Aegyptische Urkunden aus den Königlichen* (later *Staatlichen*) *Museen zu Berlin, Griechische Urkunden*. Berlin. 1895–.
CIL	*Corpus Inscriptionum Latinarum*, consilium et auctoritate Academiae litterarum regiae Borussicae editum; [postea] Academiae scientiarum Rei Publicae Democraticae Germanicae. Berolini. 1863–.
Ephesos	McCabe, D.F. 1991. *Ephesos Inscriptions*. Princeton.
FD III	*Fouilles de Delphes, III. Épigraphie*. Paris. 1929–.
FdXanth VII	Balland, A. 1981. *Inscriptions d'époque impériale du Létôon*. "Fouilles de Xanthos" 7. Paris.
FgrHist	Jacoby, F. (ed.). 1923–. *Die Fragmente der griechischen Historiker*. Berlin-Leiden.
FIRA	Riccobono, S. (ed.). 1908. *Fontes Juris Romani Antejustiniani, in usum scholarum*. Florentiae.
FIRA^2	Riccobono, S., J. Baviera, C. Ferrini, J. Furlani, and V. Arangio Ruiz (eds.). 1940–1943. *Fontes iuris Romani antejustiniani: Leges, Auctores, Liber Syro-Romanus, Negotia*. Florentiae. Editio altera aucta et emendata.
I.Olbia	Knipovič, T.N. and E.I. Levi (eds.). 1968. *Inscriptiones Olbiae (1917–1965)*. Leningrad.
IAM II (= *ILMaroc*)	Euzennat, M., J. Marion and J. Gascou (eds.). 1982. *Inscriptions antiques du Maroc*, vol. 2, *Inscriptions latines du Maroc*. Paris.
IC	Guarducci, M. (ed.). 1935–1950. *Inscriptiones Creticae*, voll. I–IV. Roma.
IG	*Inscriptiones Graecae*, consilio et auctoritate Academiae litterarum regiae Borussicae editae. Berolini. 1873–.
IGR III	Cagnat, R., J.F. Toutain, P. Jouguet, G. Lafaye. 1902–1906. *Inscriptiones Graecae ad res Romanas pertinentes*, vol. III. Paris.
IK Byzantion	Łajtar, A. 2000. *Die Inschriften von Byzantion*. Bonn.
ILS	Dessau, H. 1892–1916. *Inscriptiones Latinae Selectae*, voll. I–III. Berlin.
IosPE I^2	Latyshev, B. 1885–1901. *Inscriptiones antiquae orae septentrionalis Ponti Euxini graecae et latinae*, voll. I–III. St. Petersburg. Vol. I *Inscriptiones Tyriae, Olbiae, Chersonesi Tauricae*. Second edition 1916.

IPArk Thür, G. and H. Taeuber (eds.). 1994. *Prozessrechtliche Inschriften der griechischen Poleis: Arkadien* (*IPArk*). Vienna.

IScM *Inscriptiones Scythiae Minoris graecae et latinae*. Vol. I: Pippidi, D.M. 1983. *Inscriptiones Histriae et vicinia*. Bucharest. Vol. II: Stoian, I. 1987. *Tomis et territorium*. Bucharest.

IvO Dittenberger, W. and K. Purgold. 1896. *Die Inschriften von Olympia*. Berlin.

M.Chr. Mitteis, L. and U. Wilcken. 1912. *Grundzüge und Chrestomathie der Papyruskunde*, II Bd. *Juristischer Teil*, II Hälfte *Chrestomathie*. Leipzig-Berlin.

ML Meiggs, R. and D. Lewis (eds.). 2000. *A Selection of Greek Historical Inscriptions to the End of the Fifth Century B.C.* Oxford. Fourth edition.

P. Amst. I Salomons, R.P., P.J. Sijpesteijn, and K.A. Worp. 1980. *Die Amsterdamer Papyri* I. Zutphen.

P. Flor. Comparetti, D. and G. Vitelli. 1906–1915. *Papiri greco-egizii*. Milano. Vol. I: Vitelli, G. 1906. *Papiri fiorentini. Documenti pubblici e privati dell'età romana e bizantina*. Milano. Reprint Torino, 1960.

P. Giessen Eger, O., E. Kornemann, and P.M. Meyer (eds.). 1910–1912. *Griechische Papyri im Museum des oberhessischen Geschichtsvereins zu Giessen*. Leipzig-Berlin.

P. Lond. *Greek Papyri in the British Museum*. London. 1893–.

P. Mich. *Michigan Papyri*. 1931–.

P. Oxy *The Oxyrhynchus Papyri*. Published by the Egypt Exploration Society in Graeco-Roman Memoirs. London. 1891–.

PSI *Papiri greci e latini*. Pubblicazioni della Società Italiana per la ricerca dei papiri greci e latini in Egitto. Firenze. 1912–.

RO Rhodes, P.J. and R. Osborne. 2003. *Greek Historical Inscriptions, 404–323 BC*. Oxford and New York.

SB Preisigke, F., F. Bilabel, E. Kiessling, and H.-A. Rupprecht (eds.). 1915–. *Sammelbuch griechischer Urkunden aus Aegypten*. Strassburg-Berlin and Leipzig-Heidelberg-Wiesbaden.

SEG *Supplementum Epigraphicum Graecum*. Lugduni Batavorum. 1923–.

Select Papyri Hunt, A.S. and C.C. Edgar (eds.). 1932–1941. *Select Papyri*. London-Cambridge (Mass.).

SGDI Bechtel, F. and H. Collitz (eds.). 1884–1910. *Sammlung der griechischen Dialekt-Inschriften*, voll. I–IV. Gottingen.

Smyrna McCabe, D.F. 1988. *Smyrna Inscriptions. Texts and List*. Princeton.

Staatvert. Hitzig, H.F. 1907. *Altgriechische Staatsverträge über Rechtshilfe*. Zürich.

SVF von Arnim, H.F.A. (ed.). 1903–1905. *Stoicorum veterum fragmenta*, voll. I–III. Leipzig.

*Syll.*³	Dittenberger, W. (ed). 1915–1924. *Sylloge Inscriptionum Graecarum*, voll. I–IV. Leipzig. Third edition.
TAM II	Kalinka, E. 1920–1944. *Tituli Asiae Minoris*, vol. II. Vienna.

INTRODUCTION

Greek and Roman Citizenship: State of Research and Open Questions

Lucia Cecchet

1 Citizenship in the Greek World: Variety of Organisations, Communities, and Civic Bodies

There are many aspects concerning ancient citizenship that we know with richness of detail from our sources. Philosophical treatises, historical works, theatre plays, public and private speeches, testaments and letters, as well as public and private inscriptions are all typologies of sources that provide information on the theory and practice of citizenship in the ancient world. These sources inform us about the formal requirements for membership in the citizen-bodies, the public and private rights of citizens, the governing bodies, and the necessary steps for a political career. Both the sources addressing vast audiences and those circulating among a few individuals (such as private documents) are also useful to our knowledge of the performative aspects of citizenship (i.e., the practices, behaviours, and discourse associated with it).

Nonetheless, there are still many aspects of ancient citizenship that lay in the shadows. When we look at the Greek polis of Athens, for which we have the most extensive information in the classical period, we see a clear case of how much and how little we know about ancient citizenship. We know quite well, for example, what the formal requirements and rights of Athenian citizens were. Pericles' law from the middle of the fifth century, attested in [Aristotle]'s *Ath. Pol.* 26.2, prescribed that citizenship could be granted only to those individuals whose parents were both Athenians.[1] Athenian citizens had the right to participate in Assembly meetings, cast their vote for public decisions, be selected or elected for many public offices (with the exception of the thetes, the members of the fourth census class, who could nonetheless sit in the Assembly and in the jury courts),[2] and receive state pay for public service.

1 For recent works on the Athenian citizenship law, see Blok (2009) 141–170 and Coşkun (2014) 1–35. See also Patterson (1981).

2 For admission of the thetes to the jury courts and the Assembly alone, see [Aristot.] *Ath.*

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What we know less well, however, is how the citizen body (at Athens as in the other *poleis*) came to define itself in the course of the Archaic period. In the nineteenth and part of the twentieth century, scholars regarded ancient citizenship as a well-defined legal status that emerged as early as the emergence of the polis itself. Nineteenth-century scholars tended to trace the origins of citizen communities back to ethnic groups, such as the Dorians or the Ionians, who, in their view, formed the core of the polis as an 'ethnic-based state'. Today, it is clear that this explanatory model is no longer valid. Civic communities and citizen rights defined themselves through a gradual and long process that followed different routes in each polis: ancestry, ethnicity, individual wealth, and clan affiliations are all factors that might have played a role in defining groups, but it is virtually impossible to describe the stages of this process with an univocal explanatory model.[3]

It is interesting to note that when the Greeks founded new communities overseas, they had clarity on what to do and whom to choose as the citizens of the new settlements. In the few foundation decrees that we have from the Archaic and classical period, such as the decree of foundation of Cyrene, possibly reproducing a document of (allegedly) seventh century BC, or the Athenian decree for the foundation of a colony at Brea of fifth century BC, we see that the selection of the citizen body and the principle of division of the land upon arrival was defined before departure.[4] But colonies were particular realities. In the mother cities, the process of definition of the citizen-community did not start as an agreement or a decree, it went hand in hand with the development of the structure and institutions of the polis itself. If we look again at Athens, we note that the Athenians themselves identified the founders of their political system in figures such as Solon and Cleisthenes, who are associated with moments of social and political strife. The foundation of new institutions was, in part, a response to tensions internal to the citizen body. From the little we know of Athenian Archaic history, we indeed derive the idea

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Pol. 7.3. However, on the effective limitations imposed on the thetes in accessing offices and institutions, there are some doubts (see n. 10 below).

3 For objections to the idea of citizenship as a legal status since the archaic period, and a discussion of this idea, which dominated the studies of the so-called *griechische Staatskunde* in the 19th and 20th centuries, see the paper of Giangiulio in this book, with references to the modern scholarly debate.

4 Foundation decree of Cyrene: ML 5. The inscription itself is a fourth-century document; for questions concerning its date and interpretation, see Cecchet's paper in this book; cf. Hdt. 4. 153–159. Brea decree: *IG* I^3 46.

of the definition of the citizen body and of citizen rights as a complex and, in part, traumatic process.[5]

Another gap in our knowledge of ancient citizenship is the extent to which citizens did in fact participate in political life and accessed ruling bodies. According to Aristotle, a citizen is the one who has the right to take part in deliberative power and in judicial power.[6] In Athenian democracy, such a right was open to all citizens; in oligarchic and timocratic regimes, by contrast, individual wealth played a key role in determining membership in the civic body and access to political institutions.[7] According to Pericles' speech in Thucydides 2.37 ff., the criteria that defined a good citizen in Athenian democracy included the citizen's willingness and capability to contribute to the administration of the state, and not to be concerned with only private affairs. The citizen who does not partake in public life is useless. Domenico Musti defined this as a form of active citizenship (*concezione attivistica della cittadinanza*),[8] stressing the participatory aspect of Athenian citizenship. This idea of political activism, which has often been explored in scholarship on Athenian democracy,[9] was closely linked to another idea that was necessary to make political activism work: the polis must grant to its citizens state pay for public service in order to offer them a concrete possibility of taking part in political life. Athenians received public pay (*misthos*) for their service as jurors, councilors, magistrates, and—from the early fourth century BC onwards—also for participating in the Assembly. The reason beyond the institution of public pay seems to be offering the middle and lower classes the possibility of taking part in political

5 On the definition of the Athenian civic body, see Sealey (1983) 97–129; Manville (1990) 3–54; Blok (2013) 161–175. On Archaic citizenship, see Duplouy (2011) 89–106, and (2016) 59–82. On the semantics of citizenship, see Blok (2005) 7–40. On the importance of regarding the development of polis institutions as a process parallel to—and not prior to—the definition of the civic body, see Walter (1993) and, now, Seelentag (2014) 13–46 (discussing evidence from Cretan *poleis* as a case study).

6 Arist. *Pol.* 1275b18–20.

7 See Gauthier (1974) 210 with n. 12 on the fact that the participatory character of Greek citizenship applied not only to democracy, but even, to a less extent, to citizens in aristocratic and oligarchic regimes. Cf. Cartledge (2009) 149–163 and now, Wallace (2013) 191–204 on councils in Greek democracies and oligarchies. On political participation in the classical *poleis*, see now Blösel-Schmitz-Seelentag-Timmer (2014). Specifically on the question of the differences and similarities, with respect to political participation and census, between democracies and moderate oligarchies, see Blösel (2014) 71–93.

8 Musti (1997) 103–104 and 114.

9 On democratic ideology and participation, see Ober (1989) and (1998); Sinclair (1988); Rhodes (2009) 57–69; Schmitz (2014) 47–70 (specifically on archaic and early-classical Athens).

life, granting access to magistracies.[10] However, questions such as who in fact attended the Athenian Assembly or sit in the jury courts, and whether there were changes from the fifth to the fourth century BC, are still unclear.[11] If we consider that these uncertainties concern the polis whose internal organisation and functioning is the most-well documented by sources, we need not point out that our level of knowledge dramatically shrinks when we look at other *poleis*.

After all, Athens was just one city among many cities, and democracy was just one of the many existing *politeiai* in the Greek world. Ancient political thinkers often discussed the question of the best form of constitution, to a good extent based on observations of the political realities and variety of organisations different from Athens. Before the works of Plato and Aristotle, the Athenian literary sources of the fifth century BC, in particular Euripides, already devoted a good degree of attention to the question of who the best citizens of the polis were.[12] Such questions focus on the role that both economic standing and ethical virtues should play in granting the right of partaking in public affairs and leading the polis. The central concern regarded the right of the urban and landless mob to take part in politics, and the necessity of evaluating the characteristics that make individuals fit for citizenship—beyond ancestry, of course. A practical answer to such questions was given by that part of Athenians that organised and supported the oligarchic coupe of 411 BC, entrusting power to the oligarchy of the Four Hundred, and subsequently, to the Five Thousand, (i.e., those 'who were able to provide their own arms').[13] The timocratic criterion was at that point set out as the *conditio sine qua non* for membership in the new civic body even if for a short time. A similar idea

10 Magistracies were prohibited, at least formally, to the thetes (see n. 2 above). However, in the Classical period, this might have been more a matter of theory than of practice. Membership in the census classes did not matter any longer to the appointment of offices in the fourth century, as [Aristot.] *Ath. Pol.* 7.4 seems to suggest. Cf. also Duplouy (2016) 77.

11 Specifically on jurors' pay, see Markle (1985) 265–297; Todd (1990) 146–173. Recently, on the payment of magistrates in the fourth century, see Pritchard (2014) 1–16. Recent studies have tried to shed light on questions such as the socio-economic and geographical provenance of public officers, especially in the fourth century; see Taylor (2007) 313–324 and (2011) 117–134.

12 See, for example, Eur. *Supp.* 238–245; 420–425; *El.* 367–379; *Or.*, 917–922. For recent discussion of these passages, see Cecchet (2015) 88–101. For recent works on Greek political thought, see Carteldge (2009a); Brock (2013); Raaflaub (2013) 72–93.

13 Thuc. 8.97: ὁπόσοι καὶ ὅπλα παρέχονται.

popped up when Phormisius proposed to restrict citizen rights only to those possessing land in 403 BC.[14]

In all probability, no Greek constitution was similar to another. Additionally, one must certainly note that, despite Aristotle's classification of constitutions, many forms of polis organisation in the Greek world did not fit any univocal criterion of categorisation. Aristotle himself seems to be aware that, in more than one case, it is not possible to speak of either democracy or oligarchy and some *poleis* had a 'mixed' constitution, that is, an organisation containing aspects of democracy, oligarchy, monarchy, and even in some cases, tyranny.[15] This seems to be the way in which he obviates the problem of a too rigid theoretical schematisation that could hardly fit the variety of real cases.

Indeed, variety of political organisations is a feature of the Greek world in the Hellenistic period also. The Hellenistic *poleis* maintained typical institutions that were to a good extent common to all, such as the Boule and the Ekklesia—though the criteria regulating access to these bodies may have varied from polis to polis. However, they also presented specific ruling bodies with local or regional variations.[16] The same holds true for local magistracies, so that the path to a political career in the Greek world varied considerably from city to city. What is more, it has long been acknowledged that the polis was not the only form of political organisation in the Greek world: alongside *poleis*, alternative forms of political organisations, such as the *ethnê*, existed.[17] In light of this, we have to admit that our questions about citizen-bodies become even more problematic. For organisations alternative to the polis, on the one hand, it is misleading to speak of civic bodies; on the other hand, we can presume that even these polities had an internal structure regulating the organisation

14 Dio. Hal. *Lys*. 32. On the discussion of alternatives to the ancestry-based criterion for citizenship in Athens, see Davies (1978) 105–121.

15 See, for example, Sparta in Aristot. *Pol.* 1265b33–6a1; Hodkinson (2005) 227. On the fact that the dichotomy between oligarchy and democracy is in good part a theoretical construct, and that in reality Greek constitutions were multifaceted, see now Leppin (2013) 146–158. For democracies other than Athens in the Greek world of the classical period, see Robinson (2011).

16 For a brief overview on Hellenistic cities and their institutions, see Gauthier (1984) 82–107. For the question of Hellenistic democracies, see Mann-Scholz (2012).

17 See the section *Communities Beyond the Polis* in Brock-Hodkinson (2000); on the limits of the polis-approach to the study of Greek history, see Vlassopoulos (2007a); on the Greek *ethnos* as a political unit alternative to the polis, see Lasagni (2011); for an inventory of Greek *poleis*, see Hansen-Nielsen (2004) with Fröhlich (2011) 637–677 for comments and critics on this work.

of public life and military defence. How then should one distinguish between the civic bodies of the *poleis* and the communities in other forms of political organisations?

One further problem regards the relations between citizens and non-citizens and their impact on civic identity. The majority of the *poleis* were not closed communities. Foreigners could reside in the city, in some cases for their entire lifetime (such as the metics in Athens).[18] In many *poleis* there existed specific institutions, such as the *proxenia*, for welcoming foreign guests and protecting them during their stay in the city.[19] Further, new citizens could be admitted to the citizen body through public decisions (decrees).[20] As far as we know, in all forms of polis organisation, from the Classical to the Hellenistic period, politics was one of the few sectors of public life restricted exclusively to (male) citizens: many other fields, such as manufacture and trade, cults and festivals, and even warfare, saw the lively participation of non-citizens as well. In classical Athens, metics and slaves worked along citizens as manufacturers and traders, and among them there were also women.[21] We have evidence for slaves owning and running banks, and metics being deeply involved in commerce and in legal issues, while being deprived of political rights. Further, we know that women (even citizens) were running businesses in the Agora.[22] Also in the Hellenistic age, epigraphic evidence testifies to the active participation of non-citizens in public life. We see, for example, foreigners fighting for the polis, indeed a phenomenon that, after the 'explosion' of mercenary service since the fourth century BC, becomes particularly evident in the Hellenistic period.[23] Recent studies have pointed to the fact that this reality of daily contact and exchange between citizens and non-citizens may have brought to a 'blurring of identities' in many sectors of public life.[24] In other words, it is legitimate to wonder to what extent citizenship was still a distinctive status

18 For recent work on metics, see Akrigg (2015) 155–173. The seminal work is Whitehead (1977).

19 On Athenian proxeny in the fifth century, see Walbank (1978); on proxeny in general, see Mack (2015).

20 On naturalization in Athens, see Osborne (1981).

21 See the emblematic cases of the orator Lysias (a metic) and the slave (later on freedman and naturalised citizen) Pasion and his son Apollodorus. On citizens, metics and slaves working side by side, see Vlassopoulos (2007b) 33–52, and (2009) 347–363.

22 See, for example, the mother of Euxitheus in Dem. 57. For the role and position of immigrant women in classical Athens, see now Futo Kennedy (2014).

23 The expression 'explosion of mercenary service' is from Miller (1984).

24 The expression 'blurring of identities' is from Vlassopoulos (2007b, 2009).

and an element defining individual identity beyond, of course, the context of political institutions. We have to consider that both in classical and Hellenistic *poleis*, citizens and non-citizens interacted not only in economic, religious, and military life, but also in other forms of associations and networks, often on a territorial base where they shared the experiences of everyday life. Recent works have stressed the importance of these networks in bringing together citizens and non-citizens, urging for the necessity of abandoning the vision of the polis as an entity merely limited to the civic body.[25] Yet, the question of how such contacts affected the self-perception and representations of citizens deserves further attention in future research.

Furthermore, from the Hellenistic period onwards it is legitimate to wonder about the extent that citizenship was still bound mainly to one single polis. The Greek world knew phenomena of federal associations between *poleis* since the Archaic period, both with religious character (see the case of amphyktionies) or for political purposes.[26] However, as far as the source material is concerned, it is not before the Late Classical and Hellenistic period that inscriptions allow us to have a good glimpse of the practice of dual (or multiple) citizenship. In the Hellenistic and Roman periods, additional citizenships could be granted in several ways. For individuals, grants of citizenship were often a reward: the phenomenon of euergetism increased the practice of awarding citizenship as a return for public benefactions to the city, and it ended up creating an 'international' elite of individuals holding citizenship in several cities.[27] At the institutional level, the politics of federations (*koina*) and *ad hoc* agreements between cities (*isopoliteiai* or *sympoliteiai*) established forms of federal citizenship, though their practical implications are for us difficult to define.[28]

Overall, it is not clear how multiple citizenship worked. In the case of individual grants, the question is whether they were only honorific titles or if they were real 'additional citizenships', and if they granted full citizen rights to the

25 See Ismard (2010) and the recent work of Taylor-Vlassopoulos (2015), especially *Introduction* for methodological premises.

26 See Lasagni (2011) 67–149; MacInerney (2013) 466–479 on transregional governance in the case of amphyctionies, see now Funke (2013) 451–465; for recent work on Greek federalism, see Beck-Funke (2015).

27 For the imperial period, see the emblematic case of the Lycian magnate Opramoas, also discussed by Ștefan in this book.

28 On federal citizenship, see Lasagni's paper in this book (with bibliography); on *sympoliteia* and *koinon*, see also Lasagni (2011) 81–90. On *isopoliteia*, see Gawantka (1975).

holders.[29] While for elites they were usually honorary titles, grants of citizenship to ordinary individuals were most probably a way to practically integrate newcomers into the civic body. Especially in the first and second century AD in the cities of Asia Minor, we see professionals moving their residence into the city where they had been naturalized (and working there) while at the same time also maintaining their former citizenship. Some of them seem to have moved their residence several times during their lifetime, practically enjoying citizen status in more than one polis. In these cases, grants of citizenship were clearly tools promoting geographical and social mobility.[30]

Thus, we need to adopt a flexible approach to the study of Greek citizenship: an approach that takes into consideration not only the historical development from the classical to the Hellenistic and Roman period, but also synchronic differences among contexts, *poleis*, and—in cases of citizenship grants—recipients. To regard Greek citizenship as a set of universally valid rules means we decide to ignore the variety of political organisations in the Greek world, and also the different contexts in which citizenship and civic honours were bestowed on individuals. What is more, we need to complement studies of the legal and political aspects of citizen status with a broader perspective on how it was experienced, performed and, "constructed" in terms of identity and public discourse.

2 Citizenship in the Roman World: A Civic Body in Constant Expansion

When we look at the Roman world, we immediately note a macroscopic difference when compared to the Greek world. For the Romans, from the mid-Republic onwards, one of the chief aims and meanings of citizenship related to the issue of controlling and administering a vast territory, a problem that the

29 For example, the expression πολιτευόμενος δὲ καὶ ταῖς κατὰ Λυκία πόλεσι πάσαις—'being a citizen in all the cities of Lycia'—in Lycian decrees, is referred to magistrates of the league or to local magnates. Some scholars denied that such a formula did in fact refer to full citizen rights in all the cities of the federation. According to Larsen (1957) 9 ff., it referred to the praxis of conferring civil (but not political) rights in several *poleis* for officers of the Lyician league, and it is earlier than the imperial period. *Contra* Behrwald (2000) 225–226 points to the fact that, since the late Hellenistic period, all of the citizens of the *poleis* members of the Lycian league enjoyed *epigamia* and *enktêsis* in all the cities of the federation, hence this status was not only limited to magistrates.

30 See van Nijf (2012) 175–194 and Ștefan's paper in this book.

Greek world, neither in classical nor in the Hellenistic period, knew in those terms.[31] The Romans were not simply living within the boundaries of a city, or within the boundaries of a league of cities, but in a much more integrated system where Roman citizens had a legally recognised status in every part of a territory politically and judicially controlled by Rome. Local identity in the Roman world was a different matter than local identity in the Greek world: it was much less important to be a citizen from the town of X or Y than it was to be a *civis Romanus*, regardless of the geographic provenance and membership in a city.[32]

Roman citizens during the Republic had the right to vote; although different from the Greeks who voted individually either per hand-show, by using plaques, or else signalling their approbation or denial by shouting out, Romans employed a system of voting by groupings. They voted per tribe in the *comitia tributa*, and per census and military unit (*centuria*) in the *comitia centuriata*.[33] Social divisions mattered to political career in as much as (at least in the early Republic) the *cursus honorum* of patricians was different than that of plebeians, and some magistracies remained accessible only to specific orders (such as the tribune of the plebs). Further, census and financial qualifications played a role in access to the Senate and membership in equestrian order. All these features of Roman Republican organisation explain why, in the eyes of a Greek thinker such as Polybius, the Roman Republic looked like a successful mixture of democratic, aristocratic, and even monarchic features.[34]

While the territorial horizon of the Romans expanded, so did the level of political and legal integration. It is perhaps easier to sketch a history of Roman citizenship than it is to attempt a history of Greek citizenship, for in the case of the Roman world, as we noted already, we have to deal with a more homogeneous and unified legal system. And we can reconstruct quite well the stages of definition and expansion of the Roman civic body from the Republic

31 On the transformation of Rome from city-state to Empire, including comparison with the Athenian case, see Raaflaub (2011) 39–66.

32 The priority of Roman citizenship over local membership seems to have mattered especially during the Republic: see form example Cic. *Caec.* 100 and Cicero's idea of Rome as the *communis patria* in *Leg.* 2.5; on this, see Ando (2000) 10–11; on dual citizenship, see Marotta (2009) 91; specifically on Cicero's ideas about double fatherland, see the paper of Carlà-Uhink in this book. In the imperial period, double citizenship was allowed, as in the case of the Greek East shows; see Marotta (2009) 93–95.

33 On the voting districts of the Romans, see Taylor (1960).

34 Pol. 6.11. On the theory of mixed constitution in Greek political though, see now Hahm (2009) 178–198.

to the Empire, although Sherwin White was right in reminding us of 'the danger of giving too static an account of Roman institutions', which is a risk one can incur due to the stability of Roman legal and institutional terminology.[35]

When Rome arose as an economic and political hub in Latium during the fifth and fourth centuries BC, it rapidly became a cosmopolitan reality, and originally Roman citizens were just one of the many residents groups in the city.[36] As for the beginning of the polis and for Greek citizenship, our knowledge of the beginnings of the Roman Republic and of Roman citizenship derives mostly from late sources. Beyond legitimate scepticism of their reliability, if we are to follow at least the core information provided by authors such as Livy or Dionysius of Halicarnassus, we should believe that since the fifth century BC, Rome started stipulating alliances with neighbouring Italic communities, securing a networks of allies—the Latin *socii*, who were bound to Rome by the agreement of military support and by the ban to ally against Rome.[37] Further, beyond treaties of alliance, Roman expansion on the Italian peninsula relied on extending Roman citizenship, however differentiating into different 'degrees'. Beyond full rights for Roman citizens, Rome could award alternative forms of citizenship, such as Latin citizenship and citizenship without the right to vote (in the sources of the Late Republic, this is indicated with the expression *civitas sine suffragio*).

The *civitas sine suffragio*, generally granted to the *municipia* after 338 BC, was described by Mommsen as a sort of semi-citizenship (*Halbbürgerrecht*),[38] based on the fact that the *cives sine suffragio* could not vote, could not hold Roman magistracies, and were subjected to the *imperium* of Roman magistrates; still, they had the same obligations of Roman citizens to be registered in the census and to serve in the army. This offered apparent advantages to Rome,

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35 Sherwin White (1973) 39.

36 On this, see Isayev's paper in this book.

37 See Dion. Hal. *Ant. Rom.* 6.95 on the *Foedus Cassianum*. For an optimistic view on the reliability of the core of information of sources for the early Republic, at least on accounts about the fourth century BC onwards, see Cornell (1995) 1–30 (see p. 18: '… there was bound to be a great deal of misunderstanding and unconscious distortion. Nevertheless, the fact remains that our sources do depend ultimately on a hard core of authentic data, much of which is readily identifiable'). On the early stages of Roman and Latin citizenship, see Coşkun (2009a) 31–34 with n. 64 for extensive bibliography on the *Foedus Cassianum*.

38 Mommsen (1887). On *civitas sine suffragio*, see Sherwin White (1973) 38–58; on *coloniae* and *municipia* in the early Republic, see Marotta (2009) 17–20; Coşkun (2009a) 117–122. On the *civitas sine suffragio* in the second century BC, see also Mouritsen (2006) 418–425 and (2008) 471–483.

which managed to maintain a relatively exclusive civic community while at the same time collecting revenues and recruiting people for military service from the *civitates* and the *municipia sine suffragio*. The citizens of these cities, in turn, enjoyed some privileges in their relations with the Romans, such as the *ius conubii*, the *ius commercii*, and the *ius migrationis* (however disputed today).[39] On a higher position, in addition to these rights, the citizens of Latin law also enjoyed some fundamental political rights, such as the right to vote in Rome, even with some limitations.[40] Though remaining subjected to the *imperium* of magistrates, Latin citizenship was a rather privileged status, if we note that as early as 338 BC, there seems to have been no considerable interest from the Latin cities to acquire full Roman citizenship.

Nonetheless, things gradually changed, and Roman citizenship gained more and more prestige in the course of the second century BC, probably also as a consequence of the expansion of Rome into the Mediterranean and her victories in the Punic Wars. As late as 91 BC, the issue of Roman citizenship had become so crucial to the neighbouring communities of the Romans that the Social War broke out. The reasons that led the Latin cities and the *socii* to rebel against Rome, starting from the first uprisings in the second half of the second century BC until the war of 91 BC, are still a topic of discussion among scholars.[41] Beyond the uncertainty about the original motivations behind the

39 On *conubium*, *commercium*, and *migratio*, see Kremer (2006) 9–40; on *conubium*, see also Coşkun (2009a) 34–39, (with the note that not all Latins enjoyed the *ius conubii*, ibid., 37–38; cf. Sherwin White, ibid., 109); on *commercium*, see Coşkun (2009a) 39–47; on *migratio*, ibid., 70–73 with references to further bibliography. For scepticism on the traditional interpretation of the *ius migrationis* deriving from Mommsen, see Broadhead (2001) 69–89.

40 On this, see Coşkun (2009a) 124–128; cf. Kremer (2006) 43–45. On *ius Latinum* in general, see Kremer (2006).

41 In fact, it is debated whether the rebels aimed at enfranchisement in the sense of rights equal to those of Roman citizens, or they rather aimed at other forms of recognition on the political and social level, such as the *ius provocationis*, which would limit the power of Roman magistrates over them. Gabba (1954) argued that the *Italici* aimed at *suffragium* in order to protect their commercial interests. Brunt (1971), by contrast, believed that their motivations were essentially political. Sherwin White (1973, 142–148), noting that the allies never presented an ultimatum demanding citizenship under the threat of a war, notably suggested that complete enfranchisement, which they finally obtained, was not the original demand of the *socii* and of the Latins, but rather the contribution of the second generation of rebels, affected by the consequences of the *lex Licinia Mucia* of 95 BC. For an overview of the early scholarly debate, see Gabba (1994) 104–128. For a recent alternative interpretation of the literary tradition, in particular of Appian and Plutarch on

rebellion, what we know for sure is that with the end of the Social War in 89 BC, Roman citizenship was extended to the cities of the Italian peninsula up to the Po River, and from 49 BC up to the Alps.

The process of expansion of the Roman civic community continued after the Social War with a new challenge: the expansion beyond the Alps, which indeed started way before the Late Republic, had posed the question of the legal status and position of the provincials. In a way, the enfranchisement of the Italian peninsula can be regarded as a prelude to what happened in the provinces during the first three centuries of the Empire. Indeed, the mode of expansion of the civic body is better documented in the imperial period than it is for the Republic. The amount and typology of sources attesting to grants of citizenship now includes military diplomata as well as literary texts and inscriptions. In the Imperial Age, in fact, citizenship could be granted either *ad hoc* (to entire communities in some territories, especially in the West, or, more often in the East, *viritim* to the elite members of prominent cities) or by law to individuals who served in the Roman army and in the fleet after completion of their service (as attested on military diplomata). Just as it already was granted during the Republic, citizenship could also be granted to those who held a local magistracy, or to slaves by *manumissio*, and according to other ways prescribed by law.[42]

During the Augustan age, the tendency was to recognise full citizenship for the cities where Italian immigration constituted the largest foundation (*oppida civium Romanorum* or *conventus civium Romanorum*), whereas Latin citizenship (mostly in the form of *civitas sine suffragio*) was granted mainly in the West to the communities where the native elements constituted the majority of the population.[43] Under Claudius, the number of senators from the provinces started increasing, though their number remained small compared to that of the Italic senators. In his famous Lugdunum speech, the Emperor explained his reasons for admitting the *primores* of Gallia Chomata to the

the grants of rights to the Italian *socii* in the second century BC, see Mouritsen (2006) 418–425; cf. also Mouritsen (1998) and (2008) 471–483. On the Social War and the demands of the rebels, see Keaveney (1987) 117–162. For recent works, see Kendall (2013) and Dart (2014). On the unification of Italy and the formation of the Italic/Roman civic identity, see Carlà-Uhink, forthcoming.

42 For a concise treatment of the modes of access to Roman citizenship in the Imperial Age, see Marotta (2009) 61–89.

43 Sherwin White (1973) 225. On the *ius Latinum* during the Empire, see Kremer (2006) 111–189.

Senate.[44] In the version of the speech attested by Tacitus, Claudius reminds his audience that since its early history, Rome has welcomed foreigners and defeated enemies in its citizen body, and that this has characterised its great strength, while the exclusion of foreigners has been the cause of the ruin of Spartans and Athenians.[45] In his parody of Claudius in the *Apokolokyntosis*, Seneca depicts the Emperor as showering citizenship on peregrine communities,[46] but this is an obvious exaggeration. What is clear is that Claudius' principate signed the moment when grants of citizenship started increasing as a reward for military service, as shown by diplomata; this phenomenon indeed continued to the third century AD.

Notably, Sherwin White described the extension of citizenship in the provinces from the middle of the first century AD with the metaphor of the 'flood tide', an image that was strongly associated to Mommsen's idea of the decline of the content and the value of citizenship in the imperial period.[47] Though this view is still shared among scholars, it has been noted that it excessively downplays the important private and civil rights that Roman citizenship granted to the provincials. Roman citizenship indeed had important implications in the private spheres of marriage, inheritance, ownership, trade, and so on.[48]

There are clear signs in the literary record that the provincial elites appreciated Rome's citizenship policy, and in particular that they praised the extensive

44 CIL 13.1668 = ILS 212. Cf. Tac. *Ann.*11.24.

45 Tac. ibid.

46 Sen. *Apok.* 3. Sherwin White was right in noting that the real revolutionary aspect of Claudius' citizenship policy consisted not so much in the dimension of the phenomenon of citizenship grants in the provinces, but rather in the importance of such grants themselves, as 'he shattered the opinion that the Roman state knew boundaries determined by any other consideration than her own power of absorption and attraction' (1973, 249).

47 Mommsen (1887) regarded imperial citizenship mostly as honorary and passive citizenship. For the theory of the 'flood tide', see Sherwin White (1973) 251–263.

48 For the idea of the decline of the importance of citizenship during the Empire, see Spagnuolo Vigorita (1993) 7–15 and 39–43. On the opposite view, Marotta (2009) 59, rightly notes that, in the second century AD, Roman citizenship still ensured to citizens of the lower ranks substantial rights and legal protections. Against the idea of a significant decline of Roman citizenship in the second century AD, see also Buraselis (2007); Lavan (2016) 3–46 (with a new estimation of the figures of Roman citizens in the provinces before AD 212), and Besson's paper in this book. Ancient authors were aware of the importance of Roman citizenship on the sphere of legal rights: see, for example, Ael. Arist. 26.102 on the importance of the right of *conubium* (marriage) among citizens coming from different parts of the Empire. For a concise exposition of the rights and duties of Roman citizens, see Gardner (1993).

Roman awards of citizenship. In his letter to the city of Larissa in 214 BC, Philip V of Macedonia, an enemy of Rome at that time, exhorted the citizens of this city to imitate the Roman practice of awarding citizenship to the manumitted slaves upon the argument that this practice would enlarge their citizen body and make their city stronger.[49] Several centuries later, this admiration for the Roman citizenship policy is emblematically represented by the words of Aelius Aristides in his speech *To Rome*.[50] Certainly exaggerating by virtue of the laudatory purpose of the speech, Aristides praises Roman citizenship for knowing no geographic boundary and being open to anyone who shows himself worthy of a magistracy. This pride for the citizenship policy of the Romans was also recognized as one of the strong points of the Empire by late authors, and it will suffice here to recall the words of Rutilius Namantianus in *Red.* 1.63: *fecisti patriam diversis gentibus unam*. Nonetheless, we should stress again that the Romans awarded citizenship based on precise choices, ultimately aiming at securing control and stability in the provinces.[51] Further, despite their 'generosity', we should not forget that there were entire communities and geographic areas that remained deprived of Roman citizenship until the *Constitutio Antoniniana*, like the case of the Egyptians discussed also in this volume by Marotta.[52]

To sum up, we can certainly say that, before Caracalla extended citizenship to (nearly) all free inhabitants of the Empire in AD 212, Roman citizenship was regarded as a prestigious status both in terms of personal and civil rights and in terms of political career both in the West and in the East.[53] But it was never a closed and inaccessible status. Since the early Republic, Rome had made its point of political strength expansion rather than restriction of the civic community; this policy continued, *mutatis mutandis*, during the Empire.

A legitimate question in light of the above is how this gradual and constant expansion affected the self-perception of Roman citizens, both in Italy and in the provinces, and how the political discourse of citizenship reflected on this phenomenon of constant enlargement of the civic body. While juridical sources provide 'formal' evidence regarding the legal dimension of citizenship, it is mostly in epigraphic and literary sources (including papyri) that we should

49 *Syll.*[3] 543. However, Philipp V was not right in saying that the Romans enabled the enfranchised slaves to take offices; on this, see Marotta (2009) 34.

50 Ael. Ar. 26.59–64. See Pernot (2008) 175–202.

51 See Coşkun (2009b) 21. On Roman 'generosity' on admitting foreigners, see Gauthier (1974) and Coşkun (2009b) 7–41.

52 On the Egyptians, cf. also Marotta (2009) 60. On the fact that many citizens in the provinces did not hold Roman citizenship before AD 212, see Garnsey (2004) 137.

53 On this, see Besson's paper in this book.

look at in order to grasp the performative aspects and experiences of citizenship in the provinces. How did the newly enfranchised communities and individuals react in terms of everyday practice to their 'being Romans'? How did the new political Roman identity co-exist with previous and indigenous forms of political memberships in the communities? Additionally, on the other hand, how did the first-holders of Roman citizenship (i.e., the citizens of Rome and of the Italian peninsula) regard citizens from the provinces?

Discussions on the questions of Roman and indigenous identity and the impact of Roman administration, culture, and institutions on provincial communities have been raised within studies on the broader topic of Romanization—a topic that is certainly not limited to the aspect of citizenship.[54] However, more work is needed to shed light on similar questions in relation to the specific problem of citizenship. With respect to this, it is in both directions that we have to look, that is, towards both the legal and political aspects connected to the extension of Roman citizenship, and on the cultural and social implications of this phenomenon.[55]

3 *Politeia* and *civitas*: Some Fundamental Aspects of Difference

Based on the constant expansion of the Roman civic body from the fourth century BC to the third century AD, we can say that Roman citizenship was a prestigious status, but, in a way, less exclusive than Greek citizenship. The Greek cities of the classical and (above all) Hellenistic period granted citizenship mainly as a means to reward benefactions and ensure the future *euergesia* of wealthy elite-members by signalling gratitude, thereby increasing the prestige of the recipient. Grants of citizenship in the Greek world were not a rare event, but

54 Bibliography on Romanization—understood as the impact of Roman administration and culture on local political organizations, social structures, and local identity—is vast. Here I offer a short selection of studies according to geographical area: on the West, in particular the Hispanic provinces, Blagg-Millett (1990) and Blázquez (1996); on Italy and the West in comparative perspective, Keay (2001); for a broader geographic scope and focus on the epigraphic record, Häussler (2008); specifically on northern Italy, Häussler (2013); on the West, the East, and Africa during Augustus' principate, MacMullen (2000); on Gaul, Woolf (1998); on the Black Sea region, Bekker-Nielsen (2006); on Cilicia, Pilhofer (2006); for theoretical reflections and case-studies on the concepts of *Romanisierung* und *Romanisation*, Schörner (2005); cf. Savino (1999); Hingley (2005).

55 This has recently been done for the Greek East of the Roman Empire, where a citizenship culture existed since centuries; on representation of identity in the Graeco-Roman East, see Coşkun-Heinen-Pfeiffer (2009); on multiple citizenship, see Heller-Pont (2012).

they were always accompanied by a rhetoric of honour that stressed the exceptional character of the grant. By contrast, the Romans made a more practical use of citizenship. As early as Claudius' principate, the honorary element was indeed present in the concession of citizenship to foreigners having served in the Roman army, but honour and prestige played a smaller role compared to the practical purpose of building a solid *pied-à-terre* in all areas of the Empire, promoting the integration of provincials and building a solid network of trusted partners.[56] Grants of citizenship were for the Romans a tool for governing a vast territory; for the Greeks, grants were mostly a way of regulating the internal affairs of the polis, and to define specific and *ad hoc* situations in foreign policy.

Further, the Romans awarded citizenship as the result of an individual act, either *per magistratum*, or by will of the Emperor in the imperial period. The civic body was certainly not involved in decisions concerning grants of citizenship. Quite differently, citizenship in the Greek *poleis* was awarded as a collective decision of the polis (i.e., upon decision of the Boule and of the Assembly), and this also contributed to making such grants occasional practices rather than ordinary procedures. All this refers to what Gauthier used to call 'Greek avarice' as opposed to 'Roman generosity' when arguing against an established tradition of studies.[57] Reflecting on these two realities, Gauthier was certainly right in stressing the fact that the different approach that Greeks and Romans had towards extending citizenship must above all be understood in light of the strong differences between Greek *politeia* and Roman *civitas*.[58]

The first and perhaps most major of these differences concerns the sphere of political rights and political participation. Although Greek citizenship can hardly receive a univocal and consistent definition, there seems to have been at least one feature common to the great majority of Greek *poleis*: citizens had the right to vote for common decisions. As we said before, Greek citizenship was an active and participatory form of citizenship, and although in many cities offices were not open to all citizens, public decisions were mostly collectively taken or at least submitted to the feedback of the citizen body, as the standard formula recurring in public decrees since the late classical period suggests: ἔδοξε τῇ βουλῇ καὶ τῷ δήμῳ. The Greek world did not know a form of citizenship in which

56 On grants of Roman citizenship as a mode to gain consensus in the provinces during the Imperial Age, see Ando (2000) 57–59. For recent work on the clients and 'friends' of the Romans in the late Republic and Early Principate, see the papers in Coşkun (2008); and, for a reappraisal of Badian (1958), see now Jehne-Pina Polo (2015).

57 Gauthier (1974) 217–215.

58 Gauthier, ibid., and (1981) 167–179. For recent criticism of Gauthier's approach, see Müller (2014) 533–554.

the fundamental right to vote was denied to citizens, and in which only private and civil rights were recognised. This condition applied to categories other than citizens, such as metics in classical Athens.

By contrast, the Romans knew since the early Republic a form of 'non-full citizenship' (i.e., the *civitas sine suffragio*), or citizenship without the right to vote. This became the most widespread form of citizenship in the provinces during the Empire. However, as Sherwin White already rightly pointed out, it would be misleading to regard the *cives sine suffragio* as half-citizens, for the right to vote was never one of the characteristics that defined Roman citizenship, and magistracies were never open to the whole community, but rather to the privilege of the wealthy elite since the time of the Republic.[59] Along the same lines, Gauthier used to regard only Senators as full citizens 'in the Greek sense' (i.e., citizens with political rights), while for the ordinary Roman citizens, the content of the *civitas* was confined to the level of mostly civil rights.[60] It is therefore precisely its non-participatory character that distinguished Roman citizenship from the active and participatory character of Greek citizenship.

As far as private rights are concerned, a Greek *politês* enjoyed some fundamental rights that were the same to the vast majority of *poleis*, such as the right to possess and inherit land. Grants of Greek citizenship, as we read in honorary decrees, were generally accompanied by the list of rights and honours for the new citizens; while some of them, such as the purchasing of land and passing citizen rights to their offspring, were common to all citizens, other rights, such as that of *proedria* (i.e., the right of a special seat in the theatre) were indeed exclusive honours. As we noted previously, it is not clear to what extent the awarded rights and honours *de facto* helped the recipients to integrate in the new civic community, let alone the case of professionals who moved their residence to the new city. A grant of Roman citizenship, either full or *sine suffragio*, by contrast, entailed a clearly defined set of private and civil rights, and it marked a real change in legal status, in addition to an increase in prestige and social recognition.

On the level of discourse and rhetoric of citizenship, there are also some important differences between the Greek and the Roman world aside from political and legal aspects. As noted above, the concept of local membership for the Romans (i.e., membership in a local community) was different than for the Greeks. Needless to say, the Greeks did not know anything like 'Greek

59 Sherwin White, ibid., 264–265.

60 Gauthier (1974) 213. Against this view and on the role of the people's assemblies in the Roman Republic, see now Tatum (2009) 214–227.

citizenship', but only polis-citizenship—or if anything, forms of federal citizenship, as we mentioned previously. We see very well the importance of the local dimension of Greek citizenship at play in the speeches contained in the works of classical historians, and recorded as delivered by politicians, *rhêtores*, or generals to their fellow-citizens, listing the glorious achievements of their city and its current constitution.[61] Also, we see very well the rhetoric of citizenship at play in the fourth century BC in the several speeches of Athenian orators before the Assembly or the courts appealing to common civic values and to the recent and remote history of the city.[62] In Greek sources, we indeed find examples of Pan-Hellenic pride, encompassing the boundary of one single polis to highlight common membership in the Greek *ethnos* and culture; however, in the classical period, such cases are sporadic and mostly refer to a construction of 'super-national' identities as a response to external threats. One should think here of the rhetoric of Greek unity against the Persians at the time of the Persian Wars, and again as late as the fourth century BC, at the rhetoric aiming at stressing the opposition between Greeks and 'Barbarians'; or else, for the Greek world outside Hellas, examples such as Hermocrates' speech appealing to Pan-Sicilian identity at the conference of Gela in 424 BC, as a response to the threat of an Athenian dominion over Sicily.[63] However, super-national feelings seem to disappear quickly once the threat has been defeated, and the local, polis-oriented discourse of citizenship in the Greek world was certainly more widespread than the Pan-Hellenic discourse.

In contrast, the Roman discourse of citizenship more rarely stressed local membership. Rome—and in more abstract terms, the Empire—are generally the foci of attention. In the famous praise of Rome by Aelius Aristides mentioned previously, we see a provincial holder of Roman citizenship, reproducing exactly this logic and adopting the view point of Rome as the *communis patria*. But there is a fundamental difference between Aristides' view of Rome as common homeland and the first formulation of this concept by Cicero: while

61 As an emblematic example, see the importance of the praise of Athens and its constitution in the genre of the Athenian *epitaphios logos*, notably in the one of Pericles in Thuc. 2.37 ff. Bibliography on this subject is vast, and for the purpose of the present introduction, I limit myself to recall the seminal work of Loraux (1981).

62 See the paper of Filonik in this book. For some case-studies of appeals to the remote past of the city in Attic oratory, see Steinbock (2013); for appeals to the past in 'international' contexts, see now Osmers (2013).

63 For references to Greek unity against the Barbarians in Greek oratory, see, above all, Isocrates' *Panegyricus*, *passim*; for Hermocrates' speech in Gela, see Thuc. 4.58–64.

Cicero affirms the priority of Roman citizenship over local identity,[64] hence of Rome over its neighbouring communities in Italy, Aelius Aristides refers to Rome as a metonymy of the Empire. The fundamental boundary line in Aristides' speech is between the world of the Empire and beyond its borders, which to a good extent echoes the boundary between Greeks and Barbarians. The discourse of local identities here finds no place at all.[65] Yet, we should not forget that this was a speech delivered before the Emperor. Aristides, as many other Greek orators of his time, would have certainly spoken in a much different way if he was addressing the Assembly or the Council of a Greek polis.[66]

So what about the Greeks during the Empire? These two diverging perceptions, uses, and discourses of citizenship (i.e., *politeia* and *civitas*) did not come into conflict, and this is explained by the fact that the Romans granted citizenship to members of the Greek cities without imposing on them to abandon their former local identity. The hostile feelings that a thinker like Cicero applied to his views on dual citizenship were not at play any longer when the Romans, during the first three centuries of the Empire, dealt with the Greek East.[67] Local identities were not suppressed, and to the Greeks they certainly continued to matter. However, local citizenship was not any longer the only form of civic identity. The case of Asia Minor under Roman rule precisely shows cases of membership in local Greek communities and their intersections with Roman/global citizenship.

To put it bluntly, Roman citizenship in the East was never an alternative or a rival to Greek citizenship, but rather an added value. It was a fundamental step for a political career and for access to the institutions of the Empire. Not less important, it was a sign of prestige within local communities. Greek local identities and Roman 'global' identity overlapped, while remaining well-distinct and, in a way, complementary statuses.

There are certainly many more aspects of difference between Greek and Roman ideas and the practice of citizenship than those briefly outlined in this introduction. As the reader will agree, this is a too broad topic to be exhausted in a single book dealing with many aspects of ancient citizenship. We hope,

64 See for example Cic. *Leg.* 2.5.

65 Ael. Arist. 26.59–61. At 26.60 he says that Roman citizenship recognized no physical border, while creating a common Republic of the world. See Ando (2000) 57–58.

66 On this, see the paper of Ștefan in this book.

67 See the letter of Marcus Aurelius to the Athenians (*SEG* 29, 127) and the comments in Marotta (2009) 93.

however, that the time-span of roughly eight centuries covered in this volume will encourage the reader to regard ancient citizenship as a condition that evolved gradually in time and space, and to grasp some of the fundamental differences between the Greek and Roman practice. One of these is the local, idiosyncratic, and more exclusive dimension of Greek citizenship, as compared to the global, universally valid, and more accessible content of Roman citizenship. These differences, nonetheless, did not prevent the Greeks from experiencing forms of 'super-national' citizenship since the Archaic and classical periods with the experiences of the leagues, and again in the age of the Empire, nor did they hinder the Romans in preserving their own sense of membership into local communities.[68]

4 Beyond the Institutional Approach: Structure and Contents of This Book

The first section of this book focusses on the definition of citizen bodies, their re-foundations, and the overlapping of several forms of citizenship for members of Greek cities from the Archaic period to the late second century AD. The authors aim at discussing important aspects that contributed to the formation of civic identity both within the boundary of the polis and in the context of inter-*poleis* relations and, ultimately, in the global context of the Empire.

The problem with the definition of citizen-community and the methodological assumptions that have guided studies of ancient citizenship in the past centuries are treated in the opening of the volume with Maurizio Giangiulio's paper. Giangiulio focusses on the methodological questions concerning the study of citizenship in the Greek polis since the first comprehensive works on ancient history until contemporary research. By warning against the application both of the Aristotelian classification of ancient constitutions as oligarchies, aristocracies, and democracies, and of paradigms valid for the modern world to the Archaic *poleis*, he argues that we should regard citizenship as a process and not as a given fact in the early *poleis*. In the cities of Greece and Asia Minor during the seventh and sixth century BC, we have to deal with citizen-bodies in the making. What later classical authors classify as oligarchies were in many cases fixed-numbers citizen-communities—a common reality in the early *poleis*.

68 See the paper of Carlà-Uhink in this book.

Lucia Cecchet's paper further explores the question of the definition of citizen bodies in the late Archaic and early classical period, focussing on three specific cases of reform of civic subdivisions in continental Greece (Athens), Libya (Cyrene), and Sicily (Camarina). Based both on literary and epigraphic evidence, she discusses how these three *poleis* changed the internal partitions of their citizen-bodies in order to neutralise internal conflicts and integrate foreigners. Despite the differences in the three tribal reforms, it is noteworthy the fact that in all these cases political stability was achieved mainly through the reformation of civic divisions.

While Cecchet offers a perspective from the micro (civic-subdivisions) into the macro (the polis), the following contributions of Chiara Lasagni is rather 'a look from above' (i.e., a study on the agreements of shared citizenship that involved several *poleis*). Moving to the Hellenistic period, Lasagni explores the question of federalism, investigating the practice of *sympoliteia* (i.e., the granting of citizen rights between different *poleis*). Based mainly on epigraphic evidence, she warns against the tendency to systematise the evidence into a coherent and univocal model. *Sympoliteia* was not a technical term indicating a legal institution, but rather a practice of sharing in the political, military, and religious life of different *poleis*.

The question of multiple citizenship-holders is also discussed by Andreea Ștefan with reference to the cities of Asia Minor during the imperial period. Drawing both from epigraphic evidence and from the biographical references contained in the speeches of Dio Chrysostomus, Aelius Aristides, and Arrian of Nicomedia, Ștefan shows how the holding of multiple citizenship for elite-members was primarily a way of signalling social prestige, with the listing of the *poleis* awarding such honours as a way of mapping social networks. It usually did not show effective sharing in the political and civil rights of local communities. However, an exception is given by the cases in which the recipients of citizen rights were non-elite members (i.e., professional workers settling in a new city).

The second section is devoted to the Roman world from the Republic to the early third century AD. As it becomes clear from this part of the book, Roman citizenship underwent deep changes from the early Republican period down to the first three centuries of the Empire. Pointing to the early stages of this process, Elena Isayev analyses Plautus' comedies as historical sources on the perception of foreigners in the local communities of Italy between the late third and second century BC. Based on an analysis of the keywords indicating citizens, inhabitants, and foreigners—such as *civis, incola, peregrinus, ignotus, hospes*, and *alienus*—she argues that these plays witness a moment of transition in which Rome and the cities of Italy were becoming more and

more cosmopolitan. While in the following decades Roman citizenship rapidly gained prestige, Plautus' comedies reflect a fluid period when Roman citizens were just one of the many categories of inhabitants that populated cities. At that time, what appears to matter more than the distinction between citizens and non-citizens is the distinction between the free-born and the slave.

Donato Fasolini's paper offers an example of how the new database *Roman Imperial Tribal Ascription* (R.I.T.A.) can offer new useful information to the study of a specific aspect of Roman citizenship: the tribal ascription of children. Fasolini argues that, contrary to what is generally agreed, juvenile tribal ascription, unlike female tribal ascription, was not a practice limited to the families of the elite. This view has contributed to convey the idea that in Roman society, children were somewhat set aside and undervalued in their function as members of the civic community. Drawing both from literary sources and from the 280 epitaphs of children burials contained in the new database, Fasolini shows that we should reconsider this issue and its meaning for our understanding of Roman citizenship.

Valerio Marotta deals with the long-debated question of access to Roman citizenship for the Egyptians from the first century AD until the eve of the Antonine Constitution. Drawing mainly from Flavius Josephus' speech *Contra Apionem*, Pliny's *Letters*, and from second-century AD papyri containing letters from *classiarii* (soldiers serving in the Roman fleet), Marotta shows that before AD 212, Egyptians were prohibited from directly obtaining the *civitas Romana*. However, taking into account the complex hierarchic structure of Egyptian society and the deep change in the structure of the ruling class after Trajan, Marotta highlights cases in which Egyptians could access Roman citizenship even before Caracalla's Edict.

With a contribution in a way complementary to Marotta's paper, Arnaud Besson deals with the modes in which one could achieve Roman citizenship, and the rights it entailed in civil law (i.e., inheritance, property, obligation, marriage, family law) in the roughly fifty years before the Antonine Constitution, based mainly on Gaius *Institutes*. He shows that, contrary to what some scholars believe, Roman citizenship was in this period still a highly prestigious status—not easy to achieve—and that it entailed a great number of privileges. This made grants of Roman citizenship strongly desirable and intensively sought-after by inhabitants of the provinces.

The third section of the volume deals with ideas and discourse of citizenship in the Greek and Roman world, with the last two papers of the volume offering an *Ausblick* on the reception of Roman citizenship in the philosophy of Hegel, and an analysis of the idea of cosmopolitanism from antiquity until today. This section starts with Jakub Filonik's analysis of how conceptualisations of

citizenship and civic duties could be skilfully re-framed by Athenian orators for their rhetorical ends, based on the analysis of Lycurgus' speech *Against Leocrates*. Filonik explores how the orator, who accused Leocrates of treason for leaving Athens shortly after the defeat of Chaeronea in 338 BC, attempts to redefine the boundaries of treason by playing with the several meanings implied in the common perception of Athenian citizenship, that is, mainly citizenship as sharing in the polis, citizenship as duty on the battlefield, and citizens as the children of the polis.

With Filippo Carlà-Uhink's paper we return to the question of belonging in different communities already treated in different ways by Lasagni and Ștefan. This time the focus is on philosophical and political reflection. The author discusses Cicero's thoughts about having two fatherlands in *De legibus*, putting it in the context of the identity crisis of the mid-first century BC, when in the aftermath of the Social War, the greatest enfranchisement of Roman history before the Antonine Constitution took place. Cicero ponders on local belonging in the Italic towns and on Roman citizenship, but he does not push this duality into opposition: influenced by the Stoic idea of individual citizenship regulated by civic law, and universal citizenship regulated by natural law, he regards Roman citizenship as the historical fulfilment of Stoic (universal) citizenship. In so doing, he confers to Italy fundamental importance as the place of successful integration of peoples with different fatherlands, that is, the affective one (local community) and the juridical one (Rome).

The last two papers of this volume look at the reception of ancient citizenship and its later uses in modern political discourse. Valerio Rocco Lozano provides a perspective on Roman citizenship and of *romanitas* in the work of Hegel in close connection to two epochal events: the French Revolution and the restoration of absolutism in Napoleon's era. Hegel's perspective shifts from the admiration of the values of the Republican *libertas* during the so-called Bern period, in which he connected the *libera res publica Romanorum* to the newly-born French *République*, to the later Frankfurt period, characterised by a harsh criticism of the *romanitas*. In this later period, the Roman Empire is depicted as a precedent of the *Ancien Régime* and of the French Revolution, considered this time in its most violent aspects. The paper provides a useful example of the re-interpretation, according to the changing political and cultural climate, of the idea of Roman citizenship into the framework of late eighteenth- and early nineteenth-century philosophy and political debate.

In the last paper of this book Anna Busetto dwells on the idea of cosmopolitanism, offering a discussion of ancient and modern concepts of citizenship. The author explores the idea of cosmopolitanism from its Greek origins as early as the fifth century BC with Democritus, through its first proper formulation

in Stoic philosophy, until its Christian re-interpretation, its re-discovery in the fourteenth and fifteenth centuries, and, finally, its new nuances in present-day Europe. Busetto discusses the several salient moments of this complex and yet almost un-interrupted process of re-interpretation of cosmopolitanism over almost twenty-five centuries through key figures (i.e., Erasmus of Rotterdam and the idea of a *res publica litterarum*, the philosophers of the Enlightenment, Immanuel Kant and the idea of a *Völkerbund* and *Weltbürgerrecht*) until the 21st-century moral cosmopolitanism of Charles Beitz and Thomas Pogge, the ethical cosmopolitanism of Martha Nussbaum, and the rooted cosmopolitanism of Anthony Appiah.

Without the claim of covering the full range of topics concerning ancient citizenship, we hope that the papers presented in this book will contribute to pointing out some of the questions that are still open. The political, and civil rights of citizens developed as a result of a presumably long process that went hand in hand with (and not preceded) the definition of political organisation and institutions in the community. Yet, legal and institutional aspects alone do not explain the whole dimension of ancient citizenship. As many papers in this collection show, we need to develop an adequate approach that also includes the way in which citizenship was 'lived-off', experienced, represented, performed, and, ultimately, the way it functioned as a tool for constructing identities. While these aspects might seem more or less clear when we look at citizenship within one community (polis or *civitas*), the picture indeed becomes more complex when we have to deal with individuals holding membership in several cities in the cosmopolitan reality of the Hellenistic kingdoms and later on of the Roman Empire. The adoption of a diachronic perspective from Greek archaism to the Roman imperial period urges the abandoning of universally valid definitions of citizenship in favour of a flexible approach in time and space that takes into account chronological development, regional characteristics, and the varieties of political organisation the ancient world. We hope that this book will serve as a tool for prompting further discussion on these aspects in the future.

Bibliography

Akrigg, B. 2015. *Metics in Athens*. Oxford. 155–173.

Ando, C. 2000. *Imperial Ideology and Provincial Loyalty in the Roman Empire*. Berkeley—Los Angeles—London.

Badian, E. 1958. *Foreign Clientelae (264–70 B.C.)*. Oxford.

Balot, R.K., ed. 2009. *A Companion to Greek and Roman Political Thought*. Oxford.

Beck, H., ed. 2013. *A Companion to Ancient Greek Government*. Chichester.
Beck, H. and P. Funke, eds. 2015. *Federalism in Greek Antiquity*. Cambridge.
Behrwald, R. 2000. *Der lykische Bund: Untersuchungen zu Geschichte und Verfassung*. Bonn.
Blagg, T. and M. Millett, eds. 1990. *The Early Roman Empire in the West*. Oxford.
Blázquez, J.M. 1996. *La romanización en Occidente*. Madrid.
Bekker-Nielsen, T. 2006. *Rome and the Black Sea Region: Domination, Romanisation, Resistance*. Aarhus.
Blok, H.J. 2005. Becoming citizen. Some notes on the semantics of "citizen" in Archaic Greece and Classical Athens. *Klio* 87: 7–40.
Blok, H.J. 2009. Perikles' citizenship law: A new perspective. *Historia* 58: 141–170.
Blok, H.J. 2013. Citizenship, the citizen body, and its assemblies. In Beck (2013) 161–175.
Blösel, W. 2014. Zensusgrenzen für die Ämterbekleidung im klassischen Griechenland. Wie groß war der verfassungsrechtliche Abstand gemäßigter Oligarchien von der athenischen Demokratie? In *Grenzen politischer Partizipation im klassischen Griechenland*, eds. W. Blösel, W. Schmitz, G. Seelentag, J. Timmer, 71–93. Stuttgart.
Blösel, W., W. Schmitz, G. Seelentag, J. Timmer, eds. 2014. *Grenzen politischer Partizipation im klassischen Griechenland*. Stuttgart.
Broadhead, W. 2001. Rome's migration policy and the so-called *ius migrandi*. CCG 12: 69–89.
Brock, R. 2013. *Greek Political Imagery from Homer to Aristotle*. London, New York.
Brock, R. and S. Hodkinson, eds. 2000. *Alternatives to Athens: Varieties of Political Organization and Community in Ancient Greece*. Oxford.
Brunt., P.A. 1971. *Italian Manpower 225 BC–AD 14*. Oxford.
Buraselis, K. 2007 [1st ed. 1985]. *Θεία δωρεά: das göttlich-kaiserliche Geschenk: Studien zur Politik der Severer und zur "Constitutio Antoniniana"*. Wien.
Carlà-Uhink, F. forthcoming. *The "Birth" of Italy. The Institutionalization of Italy as a Region in the Roman Republic (3rd–1st centuries CE)*. Berlin, Boston.
Cartledge, P. 2009a. *Ancient Greek Political Thought in Practice*. Cambridge.
Cartledge, P. 2009b. "Rights", individuals, and communities in ancient Greece. In Balot (2009) 149–163.
Cecchet, L. 2015. *Poverty in Athenian Public Discourse. From the Eve of the Peloponnesian War to the Rise of Macedonia*. Historia Einzelschriften 239. Stuttgart.
Cornell, T. 1995. *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000–264 B.C.)*. London.
Coşkun, A., ed. 2008. *Freundschaft und Gefolgschaft in den auswärtigen Beziehungen der Römer*. Frankfurt am Main.
Coşkun, A. 2009a. *Bürgerrechtsentzug oder Fremdenausweisung? Studien zu den Rechten von Latinern und weiteren Fremden sowie zum Bürgerrechtswechsel in der Römischen Republik (5. Bis frühes 1. Jh. V. Chr.)*. Hermes Einzelschriften 101. Stuttgart.

Coşkun, A. 2009b. Großzügige Praxis der Bürgerrechtsvergabe in Rom? *Akademie der Wissenschaften und der Literatur Mainz. Abhandlungen der Geistes- und Sozialwissenschaftlichen Klasse* 2009: 7–41.

Coşkun, A. 2014. Perikles und die Definition des Bürgerrechts im klassischen Athen. Neue Vorschläge zu Inhalt, Zeitpunkt, Hintergrund und Auswirkungen des Gesetzes. *HZ* 299: 1–35.

Coşkun, A., H. Heinen, S. Pfeiffer, eds. 2009. *Repräsentation von Identität und Zugehörigkeit im Osten der griechisch-römischen Welt*. Frankfurt am Main.

Davies, J.K. 1977. Athenian citizenship: The descent group and its alternatives. *CJ* 73: 105–121.

Dart, C.J. 2014. *The Social War, 91 to 88 BCE. A History of the Italian Insurgency against the Roman Republic*. Farnham.

Duplouy, A. 2011. Deux échelons de citoyenneté? En quête de la citoyenneté archaïque. In *Clisthène et Lycurgue d'Athènes. Autour du politique dans la cite classique*, eds. V. Azoulay, P. Ismard, 89–106. Paris.

Duplouy, A. 2016. *Ploutos* e cittadinanza nella Grecia arcaica. In *Ploutos&Polis. Aspetti del rapporto tra economia e politica nel mondo greco*, eds. S. Sanchirico, F. Pignataro, 59–82. Roma.

Fröhlich, P. 2011. L'inventaire du monde des cités grecques. Une somme, une méthode et une conception de l'histoire. *Revue Historique* 202: 637–677.

Funke, P. 2013. Greek amphiktyonies: an experiment in transregional governance. In Beck (2013) 451–465.

Futo Kennedy, R. 2014. *Immigrant Women in Athens: Gender, Ethnicity, and Citizenship in the Classical City*. London.

Gabba, E. 1954. *Le origini della guerra sociale e la vita politica romana dopo l'89 a. C.* Pavia.

Gabba, E. 1994. Rome and Italy: the Social War. In *The Cambridge Ancient History IX*. 2nd ed., eds. J.A. Crook, A. Lintott, E. Rawson, 104–128. Cambridge.

Garnsey, P. 2004. Roman citizenship and Roman law in the Late Empire. In *Approaching Late Antiquity: The Transformation from Early to Late Empire*, eds. S. Swain and M. Edwards, 133–155. Oxford.

Gardner, J.F. 1993. *Being a Roman Citizen*. London, New York.

Gauthier, Ph. 1974. «Générosité» romaine et «avarice» grecque: sur l'octroi du droit de cité. In *Mèlanges d'histoire ancienne offerts a William Seston*, 207–215. Paris.

Gauthier, Ph. 1979. Sur le citoyen romain. *Commentaire* 6: 318–323.

Gauthier, Ph. 1981. La citoyenneté en Grèce et à Rome: participation et intégration. *Ktèma* 6: 167–179.

Gauthier, Ph. 1984. Les cites hellénistiques: épigraphie et histoire des institutions et des régimes politiques. *VIIIe Congrès international épigraphique*: 82–107.

Gawantka, W. 1975. *Isopolitie: ein Beitrag zur Geschichte der zwischenstaatlichen Beziehungen in der griechischen Antike*. München.

Hansen, M.H. and T.H. Nielsen, eds. 2004. *An Inventory of Archaic and Classical Poleis. An Investigation conducted by the Copenhagen Polis Centre for the Danish National Research Foundation*. Oxford.

Hahm, D.E. 2009. The mixed constitution in Greek thought. In Balot (2009) 178–198.

Häussler, R., ed. 2008. *Romanisation et épigraphie: études interdisciplinaires sur l'acculturation et l'identité dans l'Empire romain*. Montagnac.

Häussler, R. 2013. *Becoming Roman?: Diverging Identities and Experiences in Ancient Northwest Italy*. Walnut Creek.

Heller, A. and A.-V. Pont, eds. 2012. *Patrie d'origine et patries électives: les citoyennetés multiples dans le monde grec d'époque romaine*. Bordeaux.

Hingley, R. 2005. *Globalizing Roman Culture: Unity, Diversity and Empire*. London.

Hodkinson, S. 2005. The imaginary Spartan *Politeia*. In *The Imaginary Polis*, ed. M.H. Hansen, 222–281. Copenhagen.

Ismard, P. 2010. *La cité des réseaux. Athènes et ses associations, VIe–Ier siècle av. J.-C.* Paris.

Jehne, M. and F. Pina Polo, eds. 2015. *Foreign Clientelae in the Roman Empire. A Reconsideration*. Historia Einzelschriften 238. Stuttgart.

Keaveney, A. 1987. *Rome and the Unification of Italy*. London-Sydney.

Keay, S. 2001. *Italy and the West: Comparative Issues in Romanization*. Oxford.

Kendall, S. 2013. *The Struggle for Roman Citizenship. Roman, Allies, and the Wars of 91–77 BCE*. Piscataway (NJ).

Kremer, D. 2006. *Ius Latinum. Le concept de droit latin sous la république et l'empire*. Paris.

Larsen, J.A.O. 1957. Lycia and Greek federal citizenship. *SO* 33: 5–26.

Lasagni, C. 2011. *Il concetto di realtà locale nel mondo greco: uno studio introduttivo nel confronto tra poleis e stati federali*. Roma.

Lavan, M. 2016. The spread of Roman citizenship, 14–212 CE: Quantification in the face of high uncertainty. *Past&Present* 230: 3–46.

Leppin, H. 2013. Unlike(ly) twins?: democracy and oligarchy in context. In Beck (2013) 146–168.

Loraux, N. 1981. *L'invention d'Athènes: histoire de l'oraison funèbre dans la "cité classique"*. Paris.

McInerney, J. 2013. "Polis" and "koinon": federal government in Greece. In Beck (2013) 466–479.

Mack, W. 2015. *Proxeny and Polis. Institutional Networks in the Ancient Greek World*. Oxford.

MacMullen, R. 2000. *Romanization in the Time of Augustus*. New Heaven.

Mann, Ch. and P. Scholz, eds. 2012. *"Demokratie" im Hellenismus. Von der Herrschaft des Volkes zur Herrschaft der Honoratioren? Die hellenistische Polis als Lebensform* 2. Mainz.

Manville, Ph.B. 1990. *The Origins of Citizenship in Ancient Athens*. Princeton.

Markle, M.M. 1985. Jury pay and assembly pay at Athens. In *Crux. Essays Presented to G.E.M. De Ste Croix on his 75th Birthday*, eds. P. Cartledge, F.D. Harvey, 265–297. Exeter.

Marotta, V. 2009. *La cittadinanza romana in età imperiale. Una sintesi*. Torino.

Miller, H.F. 1984. The practical and economic background to the Greek mercenary explosion. *G&R* 31: 153–160.

Mommsen, Th. 1887. *Das römische Stattsrecht*. 3rd ed. Leipzig 1887.

Mouritsen, H. 1998. *Italian Unification. A Study in Ancient and Modern Historiography*. London.

Mouritsen, H. 2006. Caius Gracchus and the *cives sine suffragio*. *Historia* 55: 418–425.

Mouritsen, H. 2008. The Gracchi, the Latins, and the Italian Allies. In *People, Land, and Politics. Demographic Developments and the Transformation of Roman Italy, 300 BC–AD 14*, eds. L. De Ligt and S.J. Northwood, 471–483. Leiden, Boston.

Musti, D. 1997. *Demokratia. Origini di un'idea*. Roma.

Müller, Ch. 2014. (De)constructing *politeia*: reflections on citizenship and the bestowal of privileges upon foreigners in Hellenistic democracies. *Annales HSS* 69: 533–-554.

Nijf, O. van. 2012. Athletes, artists and citizens in the Imperial Greek City. In *Patrie d'origine et patries électives: les citoyennetés multiples dans le monde grec d'époque romaine*, eds. A. Heller and A.-V. Pont, 175–194. Bordeaux.

Ober, J. 1989. *Mass and Elite in Democratic Athens: Rhetoric, Ideology and the Power of the People*. Princeton.

Ober, J. 1998. *Political Dissent in Democratic Athens. Intellectual Critics of Popular Rule*. Princeton: Princeton.

Osborne, M.J. *Naturalization in Athens*. Bruxelles.

Osmers, M. 2013. *"Wir aber sind damals und jetzt immer die gleichen". Vergangenheitsbezüge in der polisübergreifenden Kommunikation der klassischen Zeit*. Historia Einzelschriften 226. Stuttgart.

Patterson, C. 1981. *Pericles' Citizenship Law of 451/0 B.C.* New York 1981.

Pernot, L., 2008. Aelius Aristides and Rome. In *Aelius Aristides Between Greece, Rome, and the Gods*, ed. W.V. Harris, 175–202. Leiden.

Pilhofer, S. 2006. *Romanisierung in Kilikien?: das Zeugnis der Inschriften*. München.

Pritchard, D.M. 2014. The public payment of magistrates in fourth-century Athens. *GRBS* 54: 1–16.

Raaflaub, K.A. 2011. From city-state to empire: Rome in comparative perspective. In *The Roman Empire in Context: Historical and Comparative Perspectives*, eds. J.P. Arnason, K.A. Raaflaub, 39–66. Chichester.

Raaflaub, K.A. 2013. Archaic and classical Greek reflections on politics and government: from description to conceptualization, analysis, and theory. In Beck (2013) 73–92.

Rhodes, P.J. 2009. Civic ideology and citizenship. In Balot (2009) 57–69.
Robinson, E. 2011. *Democracy beyond Athens: Popular Government in the Greek Classical Age*. Cambridge.
Savino, E. 1999. *Città di frontiera nell'Impero romano: forme della romanizzazione da Augusto ai Severi*. Bari.
Schmitz, W. 2014. Legitimation durch Mehrheitsentscheid? Partizipationschancen und Partizipationsgrenzen im Athen des 6. und frühen 5. Jh. In *Grenzen politischer Partizipation im klassischen Griechenland*, eds. W. Blösel, W. Schmitz, G. Seelentag, J. Timmer, 47–70. Stuttgart..
Schörner, G. 2005. *Romanisierung—Romanisation: theoretische Modelle und praktische Fallbeispiele*. Oxford.
Sealey, R. 1983. How citizenship and the city began in Athens. *AJAH* 8: 97–129.
Seelentag, G. 2014. Bürger sein im Bürgerstaat. Soziopolitische Integration im klassischen Kreta. In *Grenzen politischer Partizipation im klassischen Griechenland*, eds. W. Blösel, W. Schmitz, G. Seelentag, J. Timmer, 13–46. Stuttgart.
Sherwin White, A.N. 1973. *The Roman Citizenship*. 2nd ed. Oxford.
Sinclair, R.K. 1988. *Democracy and Participation in Athens*. Cambridge.
Spagnuolo Vigorita, T. 1993. Cittadini e sudditi tra II e III secolo. In *Storia di Roma, III: L'età tardoantica, 1, Crisi e trasformazioni*, eds. A. Carandini, L. Cracco Ruggini, A. Giardina, 5–50. Torino.
Steinbock, B. 2013. *Social Memory in Athenian Public Discourse: Uses and Meanings of the Past*. Ann Arbor.
Tatum, W.J. 2009. Roman democracy? In Balot (2009) 214–227.
Taylor, C. 2007. The sociology of Athenian democracy: A prosopographical approach. In *Prosopography. Approaches and Applications. A Handbook*, ed. K.S.B. Keats-Rohan, 313–324. Oxford.
Taylor, C. 2011. Migration and the demes of Attica. In *Demography and the Graeco-Roman World: New Insights and Approaches*, ed. C. Holleran, 117–134. Cambridge.
Taylor, C. and K. Vlassopoulos, eds. 2015. *Communities and Networks in the Ancient Greek World*. Oxford.
Taylor, L.R. 1960. *The Voting Districts of the Roman Republic: the Thirty-five Urban and Rural Tribes*. Roma.
Todd, S.C. 1990. Lady Chatterley's lover and the Attic orators: the social composition of the Athenian jury. *JHS* 110: 146–173.
Vlassopoulos, K. 2007a. *Unthinking the Greek Polis. Ancient Greek History Beyond Eurocentrism*. Cambridge.
Vlassopoulos, K. 2007b. Free spaces: identity, experience and democracy in classical Athens. *CQ* (n. s.) 57: 33–52.
Vlassopoulos, K. 2009. Slavery, freedom and citizenship in classical Athens: beyond a legalistic approach. *European Review of History* 16: 347–363.

Walbank, M.B. 1978. *Athenian Proxenies of the Fifth Century BC*. Toronto.

Wallace, R.W. 2013. Councils in Greek oligarchies and democracies. In Beck (2013) 191–204.

Walter, U. 1993. *An der Polis teilhaben: Bürgerstaat und Zugehörigkeit im archaischen Griechenland*. Historia Einzelschriften 82. Stuttgart.

Woolf, G. 1998. *Becoming Roman: the Origins of Provincial Civilization in Gaul*. Cambridge.

Whitehead, D. 1977. *The Ideology of the Athenian Metic*. Cambridge.

PART 1

Defining the Citizen Body in the Greek Poleis

CHAPTER 1

Looking for Citizenship in Archaic Greece. Methodological and Historical Problems

Maurizio Giangiulio

Überall im Studium mag man mit den Anfängen beginnen, nur bei der Geschichte nicht. Unsere Bilder derselben sind meist doch blosse Konstruktionen, wie wir besonders bei Gelegenheit des Staates sehen werden, ja blosse Reflexe von uns selbst.

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1 Citizenship as a Process

Today, many would agree on the fact that it makes little sense historically to ask when the polis arose, because the diverse components of the polis model took shape only gradually, each of these having developed differently from one another.[1] Similarly, it becomes increasingly clear that to identify the moment when citizenship becomes manifest arbitrarily assumes that in the Archaic Age there existed only an institutionalized type of membership in a political community, and that, above all, it can be located to a single historical moment. This implies not only the assumption that there might be an origin point, but also that 'origins' help historians comprehend historical reality. On the contrary, we should never neglect the words of Jakob Burckhardt: when it comes to History, we cannot begin by discussing "origins".[2] In effect, it makes little sense from a historical perspective to imagine that something we might define as "citizenship" emerged at a precise moment.

We must stress the fact that the Greek political communities of the Archaic Age do not presuppose a preexisting governance structure and therefore do not

1 For more on this crucial point see Davies (1997); Giangiulio (2001) 67–71; Blok (2005) 7–8.
2 Burckhardt (1905) 5 (the text in Burckhardt [2000] 135 is only slightly different).

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replace one political—institutional structure for another. The polis was instead formed gradually, and state institutions slowly developed over the centuries. For this reason, to look for origins of Greek citizenship can only mean to enquire into the historical processes which led Greek political communities to define themselves, because citizenship is an integral part of those processes, even while it does not wholly coincide with them, all the more so because what we know about the polities of the archaic age requires us to address early citizenship as a form of participation in group life, not only at the political level but also at the religious, military and social, in which participants could experience prestige and distinction. There is no cogent reason to simply equate archaic citizenship with a legal status implying specific political rights and an active involvement in political decision-making.

2 Greek Citizenship: Ancient and Modern

If we allow ourselves this perspective, we can move away from a modern understanding of Greek archaic polities as constitutional regimes of one kind or another. This view dominated the scholarship of the 18th and 19th century and it was radically called into question only from the 1980s. It had already been at the heart of the reflections of Aristotle and the Peripatetic school on 'constitutions', centuries later incorporated within sixteenth century studies of the *respublica Atheniensium*,[3] and subsequently within those on the Greek republics by Dutch antiquarians of the seventeenth century.[4] The approach was not so different in the works of the 1700s and 1800s, describing in detail the forms of institutional organization of Greek states, from those of Heeren and Tittmann,[5] up to Gilbert and Busolt, which in the late 1800s placed the positivistic *griechische Staatskunde* on a solid foundation.[6] *Staatskunde* was soon forced to engage with the model of Mommsenian *Staatsrecht*, by whom it was influenced, if not transformed. At the height of the 1900s, however, the scholarly tradition which in various ways remained bound to "constitutional antiquities" was still able to profoundly affect the interpretations of the nature

3 See especially the groundbreaking studies by Guillaume Postel and Carlo Sigonio (Postellus [1541]; Sigonius [1564]).

4 See especially Emmius (1626).

5 Heeren (1821); Tittmann (1822).

6 See Gilbert (1881–1885); Busolt—Swoboda (1920–1926); Gawantka (1985) provides an extremely useful overview of 19th century handbooks of state and constitutional antiquities published in Germany.

and character of the Greek state—particularly that of Victor Ehrenberg—[7]as well as the reconstructions of the constitutions of individual Greeks states, such as the *History of the Athenian Constitution* by Charles Hignett.[8]

This tradition of scholarship has been dominant and very pervasive until just a few decades ago. Notably, it tended to validate the Aristotelian discussion of constitutional forms to such a degree that Aristotle's abstract and theoretical framework was adopted as the baseline of the political and institutional history of the Greek world. In fact, the different constitutional typologies considered in the *Politics* became an integral part of the modern interpretive model designed to describe the historical development of political regimes in Greece, from heroic kingship to oligarchy, tyranny and democracy. Above all, this scholarly tradition saw the state and political-institutional dimension as a given, present from the origin of the polis. The transformation of the internal structure of the polis, as well as of the rules of citizenship, was regarded as part of the evolutionary process of the constitutional form of the state, and more precisely as a series of constitutional reforms designed to transform the ancient aristocratic state. In this context, it is understandable why for much of the 1800s Greek citizenship was discussed only within the pages of the great manuals of "constitutional antiquities."

In 1870, however, Adolph Philippi, a student of Ernst Curtius, published his *Beiträge zu einer Geschichte des attischen Bürgerrechtes*, in which he attempted to place the theme of citizenship in a historical perspective.[9] He began with the aristocratic state, and its kinship-based organization, but he closed, among other things, with a discussion of how the polis public institutions came to transform the archaic state. In addition, he dedicated some interesting ideas to the modes of citizens' membership within the minor units and subdivisions that composed the polis. Philippi's insights were ultimately not embraced at his time. On the other hand, Emil Szanto's *Griechisches Bürgerrecht* became canon before the end of the 19th century.[10] Szanto, together with Swoboda and Busolt, was bound to the scholarly tradition of the *Staatskunde*, but he aimed to give preference to a more rigorous juridical approach—as he himself wrote in the *Introduction* of his book—and to move closer to the Mommsenian *Staatsrecht*.[11] The *Bürgerrecht* was indeed presented as a preliminary contribution

7 See Ehrenberg (1969).

8 Hignett (1952).

9 Philippi (1870); for Philippi's autobiography, see Philippi (1895) 156–176.

10 Szanto (1892).

11 Szanto (1892) 1.

that was to lay the foundation for “a handbook of Greek constitutional law”.[12] As it is, Szanto was most insightful when outlining the concrete modalities and the specific content of the decrees granting citizenship on the basis of a vast epigraphic documentation from all the Greek world. His discussion of citizenship in the framework of the transformations that helped define the concepts of *isopoliteia* and *sympoliteia* was equally penetrating. Nonetheless, his approach remains more an exercise in legalistic classification rather than historical in character.

The notion of citizenship was not problematized even after the Second World War, when scholars began to accept the idea of the “rise of the polis” in the late 8th century, which had been proposed by Victor Ehrenberg in 1937.[13] The common view was that the polis, as a ‘city-state’ provided with political institutions, had its ‘citizens’ from the beginning, and also the core of the concept of citizenship were already there.[14] The polis had only to transform its political regime in accord with a series of constitutional reforms, which modified, among other things, the rules of citizenship.

3 Citizenship and Political Community: Recent Trends

Everything changed when the ‘rise of the polis’ model was finally called into question during the 1990s, especially because it became clear that the structures of the polis—urban, civic and political—took shape only gradually, in processes distinct from one another, at different speeds from one polis to another, and moreover in different directions. The development of citizenship came to be viewed both as a process which contributed to institutionalization of *poleis* over time, and as a consequence of institutionalization itself. We should add that the so-called *ethnos* states (*ethne*), even if they should not be considered *poleis*, were nonetheless political communities and not simply primitive forms of tribal organization. It is time, then, to move beyond the antithesis between polis (and citizenship), on the one hand, and *ethnos* (and tribalism, or non-political territoriality) on the other. As Kostas Vlassopoulos aptly remarked, “the polis cannot be taken as the sole unit of analysis for Greek history”.[15]

12 Szanto (1892) 2.
13 Ehrenberg (1937).
14 It only remained to scrutinize citizenship terminology and to sort out the development of the concept: see, for instance, Reinau (1981).
15 Vlassopoulos (2007) 155. Cf. now the introduction in Taylor-Vlassopoulos (2015).

Currently, any discussion of citizens and citizenship must begin with an understanding of the formation and political definition of archaic communities, even beyond the polis in the strictest sense. Already Philip Brook Manville's book on the origins of citizenship explored the ways in which the political community took shape over the centuries, even though he focused exclusively on Athens and often without discussing in detail ancient sources.[16] Manville addressed the transition from the simple belonging to the local community to a more formalized membership in the polis as political unit. His discussion is insightful, but his assumption that the polis in itself necessarily implies a formal notion of citizenship is problematic. In Manville's view Solon "… is the man who established the Athenian polis, and thereby created the beginnings of a formal citizenship";[17] his reforms "did create an Athenian *politeia*, which simultaneously defined membership and the distribution of the offices in the state".[18] In turn, Cleisthenes' *politeia* "established, for the first time, a practical implementation of the political community as defined by Solon's reforms", and the outcome was that "the free inhabitants of Attika became members of a system of demes that finally made real the ideal of the polis that Solon created, and bridged politically the societies of town and country".[19] It must be emphasized that Manville adopted an explicitly evolutionary, teleological model focused on the culmination of the historical processes implied.[20] In his view, the "perfect polis", namely democratic Athens in the classical age "also represented a perfection of citizenship", and "the rule of the people embodied in the fullest possible sense the unity of the state and its citizens".[21]

There is no need to insist that Manville's emphasis on Solon and Cleisthenes as 'founders' of the Athenian political community implied a clear rejection of the modern historiographic myth of the archaic state based on aristocratic lineages (an idea roundly discredited by Bourriot and Roussel in the 1970s which only over time gained wide acceptance).[22] However, Manville took a modernizing view of the political and institutional development of archaic Athens, especially in taking for granted the notion of 'constitution' (*politeia*) in Solon's time, and in Cleisthenes'. Other scholars, such as Michael Stahl and his student

16 Manville (1990).
17 Manville (1990) 124.
18 Manville (1990) 146.
19 Manville (1990) 218.
20 Manville (1990) 219 ("evolutionary model").
21 Manville (1990) 218.
22 Bourriot (1976); Roussel (1976).

Uwe Walter, have rightly proposed a different, non-anachronistic approach.[23] In their view, Solon and Cleisthenes, far from acting as constitutional reformers, took political measures that decisively favoured the definition and integration of the political community.

4 Beyond Institutionalization: Between History and Identity

It is worthwhile to compare the historicist point of view, according to which the notion of citizenship was prompted by the institutional development of the polis, with Christian Meier's approach to such problems of historical understanding.[24] Meier recognized that citizenship cannot be regarded as a simple consequence of the increasing institutionalization of the political community. In his view, instead, citizenship presupposes that citizens' identity takes shape through the politicization of belonging. If the *politai* fundamentally always 'belonged' to the polis, as it began to assume a collective function, the decisive novelty was precisely the politicization of the awareness of being active members of a collective political order. Only then 'citizenship' did begin to take shape. The specificity of the citizen's condition could become central only because citizenship was lived, experienced and performed in the community, since all the members of the civic body, beyond their differences, were placed on the same level politically. Ultimately, the real citizen is he who experiences the equality of citizens "*in politicis*" within Athenian democracy, where citizen identity comes to its perfection,[25] and the Citizen as such is "*das vollendete Individuum im Altertum*".[26] Meier's approach clearly locates Athenian democracy at the highest point of a development trajectory of the polis, and even of the entire ancient world.

As we have seen so far, recent research has often based the discussion of archaic citizenship on the development of the political institutions of the community, and sometimes on the formation of a political identity of the members of the community itself. In both cases, this was an important change, especially because it involves a historical rather than a legalistic approach, which inevitably undermines both the *Staatskunde* and the *Staatsrecht*. Nonetheless,

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23 Stahl (1987); Walter (1993).

24 See especially Meier (1988) and Meier (1990).

25 Meier (1988) 88.

26 Meier (1988) 83; the definition of the *polites* as "the complete individual of antiquity" is borrowed from Burckhardt (Burckhardt [1942] 5) by Meier himself to make a most important point in his own argument (cf. p. 88, on the "perfection" of citizen identity in Athens).

the historical approach, even when most sophisticated theoretically and insisting, as in the case of Christian Meier, more on identity than on history, risks to become an evolutionary perspective in which every phase of the development of a political community is viewed as a step towards the perfection of the polis-model and of Greek citizenship. And what is more, it introduces a particular Athenocentrism insofar as it implies the formulation 'Athens = Greeks'. It is also important to note that even today, such a historical approach runs the risk to reconstruct the political development of the Greek world using the same theoretical and sociological frameworks used by Aristotle to model the polis. And yet, we are strongly in need to distance ourselves from the Aristotelian model that, to quote John Kenyon Davies, actually "tells us [...] nothing about the actual historical processes which engendered the Greek concept of citizenship".[27]

5 Rethinking Archaic Citizenship

As is evident, it is necessary for the research on citizenship to take new paths.[28] This is especially true of the many different models of citizenship that the archaic period has produced.

The more we know, the more obvious is the need to abandon the idea that Athenian citizenship is the end-point of the historical path taken by every political community and the standard to which every participatory experience can be compared. The multiform plurality of Greek political communities, as masterfully discussed in *An Inventory of Archaic and Greek Poleis*,[29] is a call for ancient historians to elaborate the micro-history and the political and institutional dynamics of the 'other' *poleis*, beyond Sparta and Athens.

A particularly interesting case is represented by the so-called political regimes of 'fixed number', i.e. those in which the participants in public life identify themselves as members of a numbered group. As I argued elsewhere, these political constitutions were not so much oligarchies 'of fixed number' but rather citizen-bodies in the making.[30] In fact, such 'numbered political

27 Davies (2004) 21; for critical remarks on the acceptance of Aristotle's models as reliable framework for the understanding of the nature of citizenship, see Blok (2005) 31–35.

28 For a collection of papers focusing on new research trends, see especially Brock-Duplouy forthcoming.

29 Hansen and Nielsen (2004); on research made at the Copenhagen Polis Centre and its results, see Hansen (2003).

30 This point is fully discussed in Giangiulio (forthcoming).

bodies' should not be understood as a means to construct an oligarchic political order by excluding from civic life broad sections of the free population. Instead, numbered political bodies are likely to be one of the ways in which political communities attempted to define themselves and identify the insiders and the outsiders. If that is the case, then what we observe are forms of political organization in which membership ultimately took on a strong civic character, especially because the members of these political bodies were those who took part in the management of collective affairs. So, given their role in collective affairs, members could conceive of themselves as *hoi en tois pragmasin*, "those who are in power", expressing their belonging to the community through the performance of participation in public life. In this way, participation could become a rudimentary civic identity.

Naturally, we should consider also the issue of those who were 'outside' of numbered political bodies. There must have been outsiders who were part of the army—even as hoplites?—because larger *poleis* such as Croton or Massalia could hardly field hoplite phalanges with only a few hundred men. The same applies to outsiders' participation in religious rituals, for it is likely that some other people beyond the Thousand or the Six-hundred were taking part in them. Evidently, there were no absolute outsiders among the free population, and there was no strict distinction, legally defined, between them and the members of an exclusive citizen-body. One might assume that, as in the case of medieval Italian city-states,[31] in those Greek *poleis*, in which the participants in public life identified themselves as members of a numbered group, there were different forms of community membership, corresponding to different social statuses, connected to each other in a network of social practices and collective representations, in Durkheim's sense. In this context, privileges and duties, participation and exclusion were narrowly linked, according to established practices that by no means should be viewed as reducible to legal distinctions. And the right to vote for a public office or to be elected to one was only one aspect that defined the position of an individual in the community, alongside other criteria. Only a strictly legalistic and institutional view of archaic citizenship may interpret such conditions in terms of the distinction between full citizens and citizens with partial political rights: it is another case in which the 19th-century *Staatskunde* attributed to the practice of Greek politics a notion derived from Aristotle's political philosophy.[32]

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31 For a penetrating discussion of medieval forms of citizenship as a cluster of honours, privileges, and duties see the important book by Costa (1999).

32 For more on this, see, most recently, Duplouy (2011).

One cannot escape the conclusion that the political regimes of 'fixed number' undermine any legalistic notion of citizenship, especially for the archaic period, as they force us to rethink citizenship in terms of the plurality of membership statuses and group identities.

Also the Cretan *poleis* pose major challenges in terms of categories of interpretation and historical reconstruction. Let us consider the case of Axos, where a late sixth or early-fifth century inscription mentioning "women belonging to the community" (*astai*) represents the earliest attestation in Greek of this feminine plural word.[33] The context seems to be a public intervention designed to regulate both the administration of the spoils of war, and rituals attendant to war. Furthermore, the inscription presents a very interesting case—one quite different from the Athenian—in which women had a discernible civic identity and actively participated in sacred rituals related to the masculine sphere of war. As it appears, in archaic Axos women did not simply belong to the local community, but actively participated in public activities and practices, including situations of war usually reserved for (male) citizens. We might think that this participation defined women's membership in the polis.[34] If so, they were part of the people who made up the political community, even though they did not possess political rights.

It remains unclear, however, if in Axos, and in other Cretan cities, the polis was made up of a very numerically small political body.[35] In this case, a few members of the polis would be marked as different from a *damos* excluded from the institutional sphere in various ways. Be that as it may, it is well known that Cretan cities were not the only political communities that excluded both the lower classes from the franchise and the labourers bound to work the land of their overlords. And it was not only in Crete that the polis could take on the role of an exclusive, even very limited, group; it should suffice to mention here Bacchiad Corinth, Massalia, which remained in the hands of the 'Six-hundred' for centuries, or Epidaurus, where the citizen body was made up of 180 heads of families.[36] What is remarkable about the Cretan case though, is that there

33 The text is given by the association of two inscribed blocks: *IC* II V 5 and *IC* II V 6. For a thorough discussion of the text of the inscription and its meaning, see Perlman (2010) 79–112.

34 On this see especially Blok (2004); Blok (2011); Blok (2017).

35 As J.K. Davies surmises, especially on the basis of a late seventh-century public decree on stone from Dreros, where the "Twenty of the polis" (ML 2, l. 4) are mentioned (see Davies [2004] 21).

36 All the relevant evidence is collected and discussed by Gilbert (1881–1885); Whibley (1896); Busolt—Swoboda (1920–1926). See also Giangiulio (forthcoming).

existed a more or less exclusive citizen body alongside a remarkably institutionalized collective and civic life, which gave also to women a significant place in public life. In other words, the exclusiveness of the institutional order was not the outcome of still underdeveloped structures of governance, and—what is more—it existed alongside other forms of participation in, and belonging to, the political community.

It goes without saying that the Cretan 'citizen' in this context is a very different figure from the Athenian or Aristotelian *polites*, and this not because he represents, as it were, an early stage of the development process that would lead to an outcome similar to the Athenian *polites*.

On the issue of archaic citizenship, it is also very important to look beyond the polis and to consider other forms of political-territorial organization. Even if Athenocentrism on the one hand, and the widespread tendency to turn Aristotle's theoretical treatment of 'constitutions' into a history of political development of the Greek state on the other, tend to perpetuate the idea of the polis as the only form of citizen-state, it has now become increasingly clear that there were other communities, organized on the basis of ethnicity and territoriality, in which group membership was already politically salient in late 6th and early 5th centuries. Uwe Walter's observations on the Eleans and the Locrians have led to a better understanding of the complexities of such communities,[37] alongside the relevant contributions to the discussion of this issue by Catherine Morgan and Thomas Heine Nielsen.[38] In any case, there may be no doubt that 'citizenship' played a significant role not only among the Eleans and the Locrians, but also in Arcadia and Thessaly. Most notably, the same holds true for marginal polities such as the Molossian kingdom. It was an '*ethnos* state', and in the same time a monarchy which in the 370s could grant citizenship by public decree, even to a woman.[39] It certainly was a form of polity very different from the polis as 'citizen state', and yet it allows us a look into one of the possible (diverse) forms citizenship could take, even outside the world of the polis. Without doubt, citizenship can best be understood by focusing on the diversity of Greek political communities, not only paying attention to the many 'alternatives' to Sparta and Athens, but also to those polities where membership of a collective political order was not incompatible with forms of ethnic territorial organization and power structures different from the 'citizen-state'.[40]

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37 Walter (1993).

38 Morgan (2003); Nielsen (2000).

39 See Davies (2000).

40 Some of the groundwork for developing such an approach has been done by Walter (1993)

6 Citizenship as Privilege and Distinctive Behaviour

It is also important to mention a number of cases in which what we call citizenship has very specific forms, all of them having to do with privilege and social appearance.[41] They cannot be analysed in detail here, but it is sufficient to note that no line of development links them to one another. The relevant evidence is of varied kinds, but the most significant is that offered by an important quantity and diversity of archaic terms—*astos, chrestos, damiorgos, dromeus, entimos, epitimos, etas, homoios, polites* (*poliatas*). They refer to a series of diversified statuses and roles that have something to do with what we call 'citizenship', but not necessarily in terms of a legal status implying political and institutional rights.[42] These terms imply social practices and cultural patterns not directly political, but all of them involve active and prestigious roles within the community. For example, among the Eleans, the word indicating those who were active in public life without holding any office was *etas*,[43] a word of the epic language, which appears also in Pindar and Aeschylus with reference to the citizen.[44] It evokes the Homeric world of the heroic warriors and of their *hetairoi*: the Homeric *etai* are 'comrades', members of a group bound together by ties of friendship and relations of reciprocity.[45] At Massalia, the name *timouchoi* indicated the Six Hundred, i.e. the members of the citizen body.[46] All of them were, as the etymology suggests, the holders of *time*, i.e. "honour, and lasting prestige", which in the Homeric world is granted to the gods by fate, to the men, and above all to the *basileis*, by Zeus.[47] So, the citizens were "the holders of honour and prestige", i.e. the privilege of holding public office, to which probably all the *timouchoi* were entitled.[48] Significantly, when the legal concept of

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and Brock-Hodkinson (2000); see also, most recently, Grote (2016) for a good collection of case studies related to the meaning and functions of the 'tribes' as subdivisions of the citizen body. Against the usual "distinction between polis and ethnos as forms of political and social organization" see Vlassopoulos (2007) 194–195.

41 For more on this central point, see Brock—Duplouy (forthcoming).

42 The list, with slight modifications, is drawn from Davies (2004) 27–28.

43 ML 17, ll. 8–9. Ehrenberg (1937) 151–152 had already drawn attention to it with regard to the terminology of polis membership.

44 See Pind. *Pae.* 6.10; Aesch. *Suppl.* 247.

45 See Stagakis (1968).

46 See Strabo 4.1.5 C 179 (pp. 462, 28–464, 2 Radt). The case for the coincidence between the *timouchoi* and the citizen body is fully stated in Giangiulio (forthcoming).

47 See above all Benveniste (1969) vol. 2: 43 ff.

48 The evidence for *timouchoi* as public officials in Greece is collected and scrutinized by Günther (1967).

citizenship was defined and its formal criteria were set out in the Greek world, it remained connected to that idea of *time*, as it is shown by the terms *atimia* and *epitimos*.[49]

In some cases, the evidence is richer, going beyond the terminology. If we consider the world of Alcaeus in seventh-century Lesbos, we can easily see that especially fragment 130 Voigt attests to the significance of a distinctive honour garnered in the exercise of an active civic role: "[...] I, poor wretch, live with the lot of a rustic, longing to hear the assembly being summoned, Agesilaidas, and the council: the property in possession of which my father and my father's father have grown old among these mutually destructive citizens (*astoi*), from it, I have been driven, an exile at the back of beyond ..." (vv. 1–9; translation by D.A. Campbell). Clearly, here an existential engagement in politics, so compelling to become a way of life, is assumed. To participate in the assembly and the council must have been a key element of personal and familial identity of an *astos*, a prerogative passed on from father to son. But it was also a source of pride and social distinction, distinguishing the *astoi* especially from the inhabitants of the countryside. All this gives us an idea of the social practices and cognitive universe of a citizen. And yet in this case civic community appears to be torn apart and ultimately absent: there is no identification with the polis as a group, nor as a political community. Nevertheless, a citizen *ethos* emerges, albeit for a chosen few, embroiled in partisan conflict.

Regarding group pride and display of a distinctive role in civic life, one should also recall a fragment of Xenophanes of Colophon (fr. 3 West *ap*. Athen. XII 526a), in which the citizens of Colophon are said to be frequenting the *agora* with purpureous cloaks, refined perfumes and elaborate hairstyles, "not less than a thousand on an average".[50] Xenophanes was probably thinking of the Colophonians as a group playing a public role as a whole. The Thousand of Colophon exhibited in the centre of the public space, enacting their special relationship with the polis, their demonstration of participation in public life. In so doing, they affirmed their prestige to the eyes of everyone in the community, and this was enhanced by the public show of symbols marking social high status. The group in this setting presents itself as the holder of a specific public identity.

49 See Thuc. 5.34. Also *entimos* (ML 20, l. 35) has to be taken into account (Davies [2004] 22, 28), because its meaning may well be "man of full status", while "citizen who is in office" is unnecessarily legalistic.

50 On the Thousand of Colophon, see most recently Duplouy (2013) and Giangiulio (forthcoming).

More generally, it seems typical of the archaic culture that this citizen *ethos* considers public activities as generative of prestige. Accordingly, several of the attributes used to indicate those active in the polis are consistent with a privileged, distinctive, prestigious status. We might therefore imagine that in the archaic age, participation in public life was foremost a practice granting prestige. Before it became a legal status, citizenship was a participatory practice, an ongoing concerted behaviour that had deep emotional meaning and was part of the identity formation process.

7 Concluding Remarks

To conclude, let us summarize the main points discussed so far.

I began by pointing out that it makes little sense from a historical perspective to imagine that there might be an origin point for what we might define as 'citizenship'. It follows that to enquire into early Greek citizenship can only mean to pay attention to the historical processes that led archaic communities to define themselves and to implement participation in group life at the religious, military and social level. What is more, there are strong reasons to move away from a modern understanding of Greek archaic polities as full-fledged states or constitutional regimes of one kind or another. This clearly implies that we cannot anymore adopt Aristotle's theoretical framework as the baseline of the political and institutional history of the Greek world. No legalistic approach to citizenship in the tradition of 19th century "constitutional antiquities" can be satisfactory today.

Recently, citizenship has come to be viewed both as a process which contributed to processes of institutionalization of archaic communities and as a consequence of institutionalization itself. Rightly so, even though in many cases modernizing views of the political development of the polis have been taken. Yet it remains doubtful whether citizenship can be viewed as a simple consequence of the increasing institutionalization of the political community. Notoriously, Christian Meier's research allows us to reframe our understanding of the processes involved. In his opinion, citizenship presupposes an individual identity shaped by an increased politicization of the awareness of being an active member of a collective political order. Meier's approach, however, is bound to appear Athenocentric and teleological, insofar as it situates Athenian democracy at the height of a development trajectory of the polis, and even of the entire ancient world.

Quite on the contrary, we must be fully aware of the multiform plurality of Greek political communities, which included not only 'city-states', but also a

number of local communities organized on the basis of ethnicity and territoriality, where group membership appears to be politically salient. Therefore, it is necessary for the research on citizenship to abandon the idea that Athenian citizenship is the end-point of the historical path taken by every political community. We are now starting to realize that the Archaic period has produced many different models of citizenship. All of them call for detailed investigation and analysis.

As we have seen, specific forms of citizenship are to be found in the so-called 'ethnos-states' and in other communities apparently organized only on the basis of ethnicity. In addition, the political regimes of 'fixed number' and the role played by the 'outsiders' within them appear to undermine any legalistic notion of citizenship, and force us to rethink it in terms of the plurality of membership statuses and group identities. Furthermore, in the case of the Cretan Axos we have reasons to think that women were part of the people who made up the political community, even though they did not possess political rights.

Most importantly, however, archaic citizenship had to do with privilege and social appearance. The relevant terminology for the citizen in the literary record of the archaic period refers to a series of diversified prestigious roles and statuses within the community, and in some cases it attests to the significance of a distinctive honour garnered in the exercise of an active civic role, as in the case of Alcaeus' fr. 130. One is led to think that in the archaic age participation in public life was at the same time a practice granting special prestige and the expression of a privileged status within the community.

Bibliography

Benveniste, E. 1969. *Le vocabulaire des institutions indo-européens*. Paris.

Blok, J. 2004. Recht und Ritus der Polis. Zu Bürgerstatus und Geschlechterverhältnissen im klassischen Athen. *HZ* 278: 1–26.

Blok, J. 2005. Becoming Citizen. Some notes on the Semantics of "Citizen" in Archaic Greece and Classical Athens. *Klio* 87: 7–40.

Blok, J. 2011. Hosiē and Athenian Law from Solon to Lykourgos. In *Clisthène et Lycurgue d'Athènes. Autour du politique dans la cité classique*, eds. V. Azoulay and P. Ismard, 233–254. Paris.

Blok, J. 2017. *Citizenship in Classical Athens*. Cambridge.

Bourriot, F. 1976. *Recherches sur la nature du génos. Étude d'histoire sociale athénienne: periodes archaique et classique*, 2 voll. Lille.

Brock, R.W. and S. Hodkinson, eds. 2000. *Alternatives to Athens. Varieties of Political Organization and Community in Ancient Greece*. Oxford.

Brock, R.W. and A. Duplouy, eds. forthcoming. *Defining Archaic Greek Citizenship*. Oxford.

Burckhardt, J. 1905. *Weltgeschichtliche Betrachtungen*, ed. J. Oeri. Stuttgart.

Burckhardt, J. 1942. *Historische Fragmente*. Stuttgart-Berlin.

Burckhardt, J. 2000. *Jacob Burckhardt—Werke—kritische Gesamtausgabe*. Band 10: *Ästhetik der bildenden Kunst—Über das Studium der Geschichte* (mit dem Text der *Weltgeschichtlichen Betrachtungen* in der Fassung von 1905). München-Basel.

Busolt, G. and E. Swoboda. 1920–1926. *Griechische Staatskunde*, 2 voll. München.

Costa, P. 1999. *Civitas. Storia della cittadinanza in Europa*, Vol. 1: *Dalla civiltà comunale al Settecento*. Roma-Bari.

Davies, J.K. 1997. The 'origins of the Greek polis'. Where should we be looking? In *The Development of the Polis in Archaic Greece*, eds. L.G. Mitchell and P.J. Rhodes, 24–38. London-New-York.

Davies, J.K. 2004. The concept of the citizen. In *Polis e politeiai. Esperienze politiche, tradizioni letterarie, progetti costituzionali*, ed. S. Cataldi, 19–30. Alessandria.

Davies, J.K. 2000. A wholly non-Aristotelian Universe: The Molossians as Ethnos, State, and Monarchy. In *Alternatives to Athens. Varieties of Political Organization and Community in Ancient Greece*, eds. R. Brock and S. Hodkinson, 234–258. Oxford.

Duplouy, A. 2011. Deux échelons de citoyenneté? En quête de la citoyenneté archaïque. In *Clisthène et Lycurgue d'Athènes. Autour du politique dans la cité classique*, eds. V. Azoulay and P. Ismard, 89–106. Paris.

Duplouy, A. 2013. Les Mille de Colophon. "Totalité symbolique" d'une cité d'Ionie (VI^e^–II^e^ s. av. J.-C.). *Historia* 62: 146–166.

Ehrenberg, V. 1937. When did the Polis Rise? *JHS* 57: 147–159 (also in V.E. *Polis und Imperium*. Zürich 1965, 83–97).

Ehrenberg, V. 1969. *Greek state*. London (second edition based on Id. *Der griechische Staat* [Zürich 1965^2]).

Emmius, U. 1626. *Vetus Graecia illustrata* […], 3 voll. (*Tomus tertius repraesentans Graecorum respublicas*). Lugduni Batavorum.

Gawantka, W. 1985. *Die sogenannte Polis. Entstehung, Geschichte und Kritik der modernen althistorischen Grundbegriffe der griechische Staat, die griechische Staatsidee, die Polis*. Wiesbaden.

Giangiulio, M. 2001. Alla ricerca della polis. In *La civiltà dei Greci: forme, luoghi, contesti*, ed. M. Vetta, 59–104. Roma.

Giangiulio, M. forthcoming. *Oligarchies of 'fixed number' or citizen bodies in the making?* In *Defining Archaic Greek Citizenship*, eds. R.W. Brock and A. Duplouy. Oxford.

Gilbert, G. 1881–1885. *Handbuch der griechischen Staatsalterthümer*, 2 voll. Lepzig (I 1893^2).

Grote, O. 2016. *Die griechische Phylen. Funktion—Entstehung—Leistungen*. Stuttgart.

Günther G. 1967. *Timuchen. Ein Beitrag zum griechischen Staatsrecht*. Heidelberg.

Hansen, M.H. 2003. 95 Theses about the Greek Polis in the Archaic and Classical Periods. A Report on the Results Obtained by the Copenhagen Polis Centre in the Period 1993–2003. *Historia* 52: 257–282.

Hansen, M.H. and T.H. Nielsen, eds. 2004. *An Inventory of Archaic and Classical Poleis*. Oxford.

Heeren, A.H.L. 1821. *Handbuch der Geschichte der Staaten des Altertums, mit besonderer Rücksicht auf ihre Verfassungen, ihren Handel und ihre Colonien*. Göttingen 1821. Fourth edition (*Historische Werke*, VII).

Nielsen, T.H. 2000. Epiknemidian, Hypoknemidian, and Opuntian Lokrians. Reflections on the political organization of East Lokris in the classical period. In *Further Studies in the Ancient Greek Polis* (*Historia*. Einzelschriften, 138), ed. P. Flensted-Jensen, 91–120. Stuttgart.

Nielsen, T.H. 2002. *Arkadia and its Poleis in the Archaic and Classical Periods*. Göttingen.

Hignett, C. 1952. *A History of the Athenian Constitution to the End of the Fifth Century B.C.* Oxford.

Manville, Ph.B. 1990. *The Origins of Citizenship in Ancient Athens*. Princeton.

Meier, Chr. 1988. Bürger-Identität und Demokratie. In *Kannten die Griechen die Demokratie?*, eds. Chr. Meier and P. Veyne, 47–95. Berlin.

Meier, Chr. 1990. *The Greek Discovery of Politics*. Cambridge (MA).

Morgan, C. 2003. *Early Greek States Beyond the Polis*. London—New York.

Perlman, P.J. 2010. Of Battle, Booty, and (Citizen) Women: A "New" Inscription from Archaic Axos, Crete. *Hesperia* 79: 79–112.

Philippi, A. 1870. *Beiträge zu einer Geschichte des attischer Bürgerrechtes*. Berlin.

Philippi, A. 1875. Selbstbiographie. *Biographisches Jahrbuch für Altertumskunde*, 18, 156–176.

Postellus, G. 1541. *De magistratibus Atheniensium liber*. Parisiis.

Reinau, H. 1981. *Die Entstehung des Bürgerbegriffs bei den Griechen*. Basel.

Roussel, D. 1976. *Tribu et cité. Études sur les groupes sociaux dans les cités grecques aux époques archaïque et classique*. (*Annales litt. de l'Université de Besançon* 193). Paris.

Sigonius, C. 1564. *De Republica Atheniensium libri IIII*. Bononiae.

Stagakis, G. 1968. Etês in the Iliad. *Historia* 17: 385–399.

Stahl, M. 1987. *Aristokraten und Tyrannen im archaischen Athen*. Stuttgart.

Szántó, E. 1892. *Das griechische Bürgerrecht*. Freiburg-im-Breisgau.

Taylor, C. and K. Vlassopoulos, eds. 2015. *Communities and Networks in the Ancient Greek World*. Oxford 2015.

Tittmann, F.W. 1822. *Darstellung der griechischen Staatsverfassungen*. Leipzig.

Vlassopoulos, K. 2007. *Unthinking the Greek Polis. Ancient Greek History beyond Ethnocentrism*. Cambridge.

Walter, U. 1993. *An der Polis teilhaben. Bürgerstaat und Zugehörigkeit im archaischen Griechenland*. Stuttgart.

Whibley, L. 1896. *Greek Oligarchies: Their Character and Organisation*. London [Chicago 1975].

CHAPTER 2

Re-shaping and Re-founding Citizen Bodies: The Case of Athens, Cyrene and Camarina

Lucia Cecchet

Introduction

In *Politics*, Aristotle observed that without the subdivisions of the citizen body, no state would be possible.[1] With the constitutions of the Greek cities in mind, he was certainly right: subdivisions of citizens into tribes, phratries and other units are attested in several parts the Greek world since the archaic period. That the Greeks gave great importance to civic subdivisions is confirmed by many facts, not least the practice of inscribing new citizens into civic sub-units and organising many aspects of public life according to membership of tribes and phratries.

While the origins of civic subdivisions are generally obscure,[2] much effort has been put into understanding their nature and function in the organisation of the public and private life of the polis in reference to political, military and religious functions.[3] As well as evidence for the existence of such subdivisions, sources bear witness also to reforms and changes in their structure in the late archaic and early classical periods. Some of these cases of reforms are recorded by sources in relation to moments of crisis and change in the polis. In this paper, I will offer an overview of three reforms of the civic subunits in Athens, Cyrene and Camarina during the archaic and early classical periods. In these three cases, the re-founding of civic units seems to have happened in relation to tensions and conflicts internal to the citizen body. The aim of this paper is that of understanding the reasons and the mode in which the citizen-body was re-organised and how the re-organisation could serve as a tool to solve internal conflicts.

1 Aristot. *Pol.* 1264a6 ff.

2 For theories on the origin of civic subdivisions in the Greek poleis, see Roussel (1976) 173–191.

3 For early studies on civic subdivisions, see Szanto (1901) about the *phylê*; and Guarducci (1937) about the phratry. For a thorough collection of evidence about civic units in the Greek world, see Jones (1987). On *phylai*, see now Grote (2016).

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1 Mixing Up the People: Cleisthenes' Reform at Athens

In 508/7 BC, the division of the citizen body and the mode of access to political life in Athens were drastically changed. A reform was carried out after the end of a troubled period for the city, signalled by a series of dramatic events that rapidly followed one another. In a very short time period, the tyranny of Hippias was overthrown with a joint cooperation by the Alcmeonids, Cleisthenes and the Spartans; the Spartan king, Cleomenes, entered Athens as an ally of Isagoras against Cleisthenes; Cleisthenes and 700 Athenian wealthy families were forced into exile. Isagoras, however, failed in his attempt to gain the leadership and after being besieged on the Acropolis, he left the city. The exiled Athenians came back to Athens and Cleisthenes enacted the reform that would shape the political organisation of Athens for the centuries to come.[4]

Cleisthenes did not invent civic subunits. Athenians were already divided into civic units, but the nature of the archaic divisions and their functions are to a good extent an enigma. According to Aristotle, Solon left intact a civic structure consisting of four phylai, divided into three trittyes and twelve *naukrariai* each.[5] We know very little about the old phylai and all we can say is that, allegedly, they were the original four tribes into which the Ionians were divided and that each tribe provided 100 men for the Council of the Four Hundred.[6] The scant evidence that we have for them consists mainly of their survival in the Athenian religion.[7] No less enigmatic is the pre-Cleisthenic partition into trittyes and *naukrariai*.[8] What seems to be certain, however, is that

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4 Hdt. 5.63–73. [Aristot.] *Ath. Pol.* 19.4–20.4.

5 [Aristot.] *Ath. Pol.* 8.3. Rhodes (1981) 150–153.

6 [Aristot.] *Ath. Pol.* 8.4. See Rhodes (1981) 153–154. For arguments in support and against the historicity of a Council of the Four Hundred, see De Ste Croix (2004) 83–89. Against scepticism over the existence of the Council of the Four Hundred, see Rhodes, ibid.

7 Parker (1996) 112–113.

8 Information about the *naukrariai* is perhaps the most controversial; cf. Rhodes (1981) 151–152; Van Wees (2013) 44–53 and 305 n. 8. Faraguna (2015) 652. The connection with the function of ship-supply is suggested not only by the name itself, but also by a lexicographical reference in Pollux, attesting that each *naukraria* supplied two horsemen and one ship; see Pollux 8.108; Lex. Seg. 283.20–21. Herodotus seems to attribute fundamental powers to these administrative units when speaking of Cylon's attempted putsch. He says that at that time the *prytaneis* of the *naukrariai* ruled at Athens (Hdt. 5.71.2). On the basis of what Aristotle says about the board of *naukrariai* being in charge of exacting monies and of making disbursements from the Naukratic fund ([Aristot.] *Ath. Pol.* 8.3), Jordan (1970) 153–175 suggested that the *naukrariai* were taxation districts and that the passage of Herodotus should be interpreted accordingly

Cleisthenes intervened on existing structures. Whitehead has convincingly shown that not even the demes were an innovation introduced in 508 BC, a fact that is suggested by them amounting to the odd number of 139 in the classical period (between the beginning of the fourth century and the last quarter of the third century) and that they were of different sizes.[9] However, before the reform they seem to have had no political function.[10]

While many aspects of the political organisation of Athens before 508 BC remain obscure, the internal divisions of the Athenian citizen body after the reform of Cleisthenes are essentially clear. Thus, we read in the Aristotelian *Constitution of the Athenians*:

> He (Cleisthenes) first divided the whole body into ten tribes instead of the existing four, wishing to mix them up, in order that more might take part in the government; [...] Next he made the Council to consist of five hundred members instead of four hundred, fifty from each Tribe, whereas under the old system there had been a hundred. This was the reason why he did not arrange them in twelve tribes, in order that he might not have to use the existing division of the Thirds (for the four Tribes contained twelve Thirds), with the result that the multitude would not have been mixed up. He also portioned out the land among the demes into thirty

as a reference to the *prytaneis* who collected the revenues at Athens; for *naukrariai* and taxation in archaic Athens, see Van Wees (2013) 44 ff. On the division of the old tribes in *naukrariai* in the pre-Cleisthenic organisation, see Jones (1987) 28–31; Van Wees (2004) 203–206. For some hypotheses on the functions of the pre-Cleisthenic trittyes see Hignett (1952) 47–48, 71–72; Lambert (1993) 256–257, n. 56. On the meaning of trittyes, see Eliot (1967) 79–84.

9 On the number of demes, there has been much debate: see Whitehead (1986) 17–20. The only piece of literary evidence is Strabo 9.1.16 who suggests the two figures of 170 and 174. For scepticism on Strabo's figures, see Traill (1975) 97 with n. 86. An investigation of Traill (1975) 73–103 points to the number of 139 demes based on two prerequisites for their identification; i.e., 1) a minimal body of citizens shown by the *dêmotikon*; 2) representation in the Boule as attested in the bouleutic and prytanic lists; see Traill (1975) 75–81.

10 Whitehead (1986) 15. In fact, it has been suggested that they were simply districts of habitation in early times. Thompson (1971) 72 argued that the demes should not be understood as portions of land having defined boundaries. However, *horoi* marking deme boundaries (rupestrian *horoi*) have been found: see Lohmann (1993) I, 57–59; for epigraphic and literary evidence suggesting territorial boundaries for the demes, and specifically on the boundary between the demes of Melite and Kollytos on the Athenian Agora, see Lalonde (2006) 83–119.

> parts, ten belonging to the suburbs, ten to the coast, and ten to the inland district; and he gave these parts the name of Thirds, and assigned them among the Tribes by lot, three to each, in order that each Tribe might have a share in all the districts. And he made all the inhabitants in each of the demes fellow-demesmen of one another, in order that they might not call attention to the newly enfranchised citizens by addressing people by their fathers' names, but designate people officially by their demes; owing to which Athenians in private life also use the names of their demes as surnames.[11]
>
> Tr. H. RACKHAM

Ten tribes replaced the previous four in regulating access to the Boule—thereby providing 50 councillors each. A group of three trittyes was assigned to each tribe: one from the coast, one from the inland and one from the city of Athens. What is striking in this account is the fact that [Aristotle] insists on repeating that Cleisthenes' purpose was that of 'mixing the people up': he notes this twice—first, while introducing the reform and, second, while explaining why Cleisthenes refused to use the old trittyes-system.[12] If this account is correct, it is clear that Cleisthenes aimed to tackle a very specific problem, i.e. the fact that the Athenians were not 'mixed' enough. The expression is, however, cryptic, as it is not clear how a 'blend of people' would have enlarged political participation. In order to find some clues about this, we have to look at other sources; i.e., two passages from Herodotus and one from Aristotle's *Politics*, as we shall see in a moment.

It is generally agreed that the reform was the most decisive step for the development of Athenian democracy; this is a *communis opinio* among modern scholars, less so among ancient authors.[13] Herodotus depicts Cleisthenes as the founder of democracy and [Aristotle] says the Athenian constitution after his reform became more democratic than that of Solon,[14] but fourth-

11 [Aristot.] *Ath. Pol.* 21.2–4. See Rhodes (1981) 249–256. For the division into ten tribes cf. Hdt. 5.66 and 69; see How-Wells (1957) II, 32–37; Aristot. *Pol.* 1319b19–27.

12 On the question of the pre-Cleisthenic trittyes, see Lambert (1993) 256–257, n. 56; see n. 8 above.

13 For a re-assessment of the figure of Cleisthenes, which takes into account both the aspects of continuity and those of innovations in his reforms, see Ismard (2011) 165–174. The idea that founder of democracy was Solon, rather than Cleisthenes, dominated early scholarship, but it was not fully abandoned in more recent times: for an overview, see Hansen (1994) 25–37.

14 Hdt. 6.131.1; [Aristot.] *Ath. Pol.* 22.1.

century sources generally tend to attribute the honour of inventing democracy to Solon.[15] Both Herodotus and the author of the *Ath. Pol.* relate Cleisthenes' reform to the attempt to draw the people over to his side in order to gain political victory over his rival Isagoras.[16] This portrait of a power-hungry politician was in all probability disseminated in early times by his political opponents[17] and it is likely to have had a revival in the fourth century, after the re-writing of the Solonian law-code had contributed in increasing the popularity of the archaic law-giver over other 'competitors'. In fact, there are no signs of Cleisthenes' intention of constructing a personal power by means of his reform. As De Ste Croix noted, his constitution reserved no special place for him[18] and the new system made it difficult for the formation of a compact support-group that could promote one person,[19] because the Athenians usually did not vote by tribe, like the Romans, but individually.[20] Rather than securing personal power, the reform aimed to change an obsolete structure by intervening in the channels of access to public participation.[21]

There were essentially three main aspects of innovation. [Aristotle] seems to have them all in mind when referring to the fact that Cleisthenes 'mixed the

15 See Wade-Gery (1958): "Cleisthenes did not dominate popular imagination. The founder of democracy in popular thought was not Cleisthenes but Solon, and the destroyer of tyranny not Cleisthenes but Harmodius." Cf. De Ste Croix (2004) 130; Hansen (1994) 25ff.

16 Hdt. 5.66. How-Wells (1957) II, 33 attempted an interpretation of the factions at the time of Cleisthenes and Isagoras as a continuation of the old regional opposition at the time of Peisistratus, but Herodotus provides no clue in this direction. Cf. [Aristot.] *Ath. Pol.* 20.1. De Ste Croix (2004) 130 maintains that here Herodotus is the source of *Ath. Pol.*

17 De Ste Croix (2004) 133.

18 De Ste Croix, ibid.

19 De Ste Croix (2004) 150; *contra* Walker, CAH (1923–1924) 143, who defines the trittyes-system as "a cunning attempt to secure that in each of the ten tribes there should be a compact body of voters who were his own special adherents".

20 De Ste Croix, ibid. There are some attested cases of voting organised by tribe in the Assembly, generally when voting took place with cards (such as in *ostrakismos*) or with pebbles, such as in trials: for example, κατὰ φυλάς in the Arginusae trial (Xen. *Hell.* 1.7.9); however, voting by show of hands seems to have been the norm in the fourth century, see Hansen (1977) 123–137.

21 Salmon (2003) 234 assumes that Cleisthenes was not aware of all that his reform might achieve. However, modifying a civic organisation that had remained unchanged for centuries is too much of an extraordinary act to suppose that it could be done without any awareness of its political meaning.

people up', but he does not explain them separately; nor does he make it clear which aspects did in fact entail an extension of political participation. I will argue below that with his reform, Cleisthenes enacted a threefold blend of the people.

The first and greatest innovation the reform brought in concerns the internal composition of the tribes. The ten new tribes included Athenians coming from different parts of Attica, thereby eliminating any possibility of political alliances and conflicts on a regional/geographical basis. Sources suggest that such conflicts troubled Athens in earlier times: according to Herodotus, when Peisistratus was first raised to power in the mid sixth-century, there was civil strife (*stasis*) among three factions: the Athenians from the coast, those from the plains, and the third faction, led by Peisistratus, from the mountains.[22] [Aristotle] attests the same tripartite division and he provides a political explanation for it: the men from the plain aimed at the *mesê politeia* (i.e., a moderate form of constitution), those from the plains wanted to establish an oligarchy, and those from the mountains, under the leadership of Peisistratus, grouped together all those disappointed by Solon's cancellation of the debts and those who were not Athenian citizens by descent.[23] Plutarch, based in all probability on the *Ath. Pol.*, gives the same political interpretation of the tripartite division and he dates it back to the period prior to Solon's archonship.[24] However, it has been noted that such a political explanation and, in particular the idea of a faction aiming at the *mesê politeia*, is a typical Aristotelian ideal and it is unlikely to reflect sixth-century politics, though it is plausible that local rivalries had been fuelled by the Solonian legislation.[25] The information on the people of non-Athenian origin gathered in the third faction is put in context by the author of the *Ath. Pol.*, with the revision of the lists of the citizens carried out after the

22 Hdt. 1.59.3. How-Wells (1957) I, 81 ascribes the rise of these factions to the weakening of the rule of the Eupatrids after Solon's reforms. For a sceptical view of this 'schematic division' in three factions, see Asheri in Asheri-Lloyd-Corcella (2007) 119–121. Cf. Schmidt-Hofner (2014) 624–668. On regionalism in Attica, see Sealey (1960) 155–180.

23 [Aristot.] *Ath. Pol.* 13.4; cf. Aristot. *Pol.* 1305a 23–24. See Rhodes (1981) 179, 185–187. Aristotle calls the members of the third faction *diakrioi*, instead of *hyperakrioi* as in Hdt. 1.59, but the three factions are the same.

24 Plut. *Sol.* 13 and 29. On the dependency of his account from the *Ath. Pol.*, see Rhodes (1981) 179 ff.

25 See Rhodes (1981) 186. While he refuses the idea that the first faction aimed at a moderate legislation, he is less sceptical on the possibility that the third faction grouped together "various kinds of unprivileged Athenians" and that local rivalries had been fuelled by Solon's legislation (ibid.).

deposition of the tyrants and it is equally enigmatic, as Herodotus makes no mention of non-Athenians in any of the three factions.[26]

In truth, we do not know the reason for the regional strife, nor how long it lasted in the sixth century before Cleisthenes' reforms,[27] but we have no reason to doubt our sources about a regional opposition in Attica in the sixth century. Cleisthenes' reform swept it away or at least he made it irrelevant in political terms. By prescribing that each tribe be made up of one trittys from the coast, one from the inland region and one from the plain, he promoted the mixed association of all three groups: each new tribe stood as a cross section of the entire citizen population.[28]

However, a problem arises when we read the first lines of *Ath. Pol.* 21, in which [Aristotle] seems to relate this 'mixing up' with Cleisthenes' purpose of involving a larger number of citizens in political life. One can hardly see a connection between regional blend and enlarging political participation. Most probably, by relating the two things, the author of the *Ath. Pol.* is confounding two different aspects of the reform. The geographical blend of the people had certainly the purpose of eliminating regional-based conflicts and in this respect it succeeded, as we hear nothing about regional conflicts in Athens in the classical period. However, the extension of political participation was achieved through two other kinds of 'mixing up'.

The second kind of 'blending of people' concerns the effect of Cleisthenes' reform on the traditional power structures of the old elites. This aspect is not as clear as the geographical blend in our sources: while we read nothing about it in the *Ath. Pol.*, some clues are provided yet again by Herodotus. The historian says that Cleisthenes took inspiration from his uncle, Cleisthenes, the tyrant of Sikyon, who changed the names of the Dorian tribes of Sikyon under the

26 [Aristot.] *Ath. Pol.* 13.5. On the scrutiny of the list of the citizens in 510/9 BC, see Manville (1994) 173–185. On the *diapsêphismos* after the deposition of the tyrants, see also Welwei (1967) 423–437; Jacoby, *FGrHist* IIIb Supp. I, 156–160, believed that both the *diapsêphismos* of 510/9 BC and the enfranchisement of citizens done by Cleisthenes were invented by fourth-century propaganda; against this view, see Welwei (1967) 424–425. Loddo (2012) 55–93 argues that the *diapsêphismos* was proposed in 508 BC by Isagoras and that it was an (unsuccessful) attempt to oppose Cleisthenes.

27 The possibility that the strife was socio-economic in kind, with the inhabitants of the plain owning the most fertile lands and those of the coast controlling access to maritime resources, has been rejected by most scholars, who tend rather to interpret it as a conflict internal to aristocratic clans; see Hopper (1961) 189–219; Kluwe, (1972) 101–124; Asheri in Asheri-Lloyd-Corcella (2007) 121; recently, Schmidt-Hofner (2014) 624–668.

28 On this, see now Grote (2016) 210–212.

pretext that they would no longer match with the names of the Argives tribes.[29] In fact, in so doing, it has been noted that the tyrant ridiculed the Sikyonian-Dorian elites.[30] Indeed, Jones was right in saying that we do not have sufficient grounds for making either a positive or a negative judgement on the historicity of these facts.[31] However, what interests us is the fact that Herodotus saw similarities between tribal reform at Sikyon and at Athens. Most commentators have highlighted the enigmatic aspect of such similarity, as the modern reader will note much more the contrast, rather than the parallels between the two reforms.[32] However, if we follow the argumentation of Herodotus, it appears clear that the similarity that he envisaged concerned the opposition to the old elites both at Sikyon and at Athens. In fact, he observes that Cleisthenes of Athens imitated his predecessor for he despised the Ionians, and he desired that the tribes should not be common to his own people and the Ionians.[33] This makes sense only if we understand it as a reference to the Ionian elites, whose wealthy life-style, especially in the cities of the Ionian coast, was renowned.

When saying that Cleisthenes acted against the Ionians, thus, Herodotus refers to the Eupatrid families who controlled access to public life within the four tribes, including the selection of the 100 men for the Boule.[34] As well as eliminating factions on a regional basis, the reform must have also weakened factions on a social (i.e., aristocratic) basis.[35] This happened because

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29 Hdt. 5.67–68; How-Wells (1957) II, 34–35. In changing the names of the Sikyonian tribes, Cleisthenes ridiculed the Sikyonians themselves, because he gave to their tribes names derived from the words 'donkey' and 'pig'; furthermore, this policy could also be considered an internal anti-Dorian action, although, the reasons for these actions are unclear; cf. Jones (1987) 105; cf. Grote (2016) 47–61.

30 On the anti-Dorian motivation of the reform in Sikyion, see Andrewes (1956) 57 ff.; Berve (1967) 533; Jones, (1987) 105. On the anti-Dorian action of Cleisthenes of Sikyion in relation to his non-Dorian origins, see Bockisch (1976) 527–534. Against this interpretation, see Grote (2016) esp. 51–61, who argues the main purpose of the change of name was opposition to Argos and the strengthening of the Sikyonian civic identity.

31 Jones (1987) 104.

32 Hdt. 5.69. How-Wells (1957) II, 36; cf. ibid., 34: "The resemblance between the two policies, on which Herodotus against insists, is less clear than the contrast".

33 Hdt. ibid.

34 De Ste Croix (2004) 80 ff. speaks of the "Eupatrid monopoly of the 'state machine'" at the time of Solon; on the political role of the *genos*, see also Parker (1996) 63–64.

35 Many scholars—in particular Lewis (1963) 22–40, Forrest (1966) 197–200 and Andrewes (1977) 241–248—highlighted this aspect of the reform. See also Rhodes (1981) 253–254 (in general, about the new tribal system) and 256 (specifically, on the role of the demes in strengthening the citizens' involvement in politics at a domestic level with a possible challenge to the supremacy of the aristocrats); cf. De Ste Croix (2004) 140 ff.

1) the families of the 'Ionian aristocracy' were now scattered across 10 tribes whose composition was internally diversified and 2) the 50 councillors were drawn by lot from a board of citizens selected by vote in deme-assemblies. The second kind of 'mixing up' refers, therefore, to the 'socio-economic' blending of the people. Both this and the geographical blending are complementary aspects of the Cleisthenic reform.

Nonetheless, the reform did not affect the role of the kinship-associations; i.e., the phratries.[36] It weakened the existing aristocratic power-structures insofar as they no longer played a role in granting access to public and political life; however, it would be a mistake to identify these power structures with the phratries, which were in fact not divisions exclusive to the aristocracy.[37] After 508 BC, phratry membership continued to be a fundamental aspect of the life of a citizen.[38] [Aristotle] rightly notes that Cleisthenes left these associations entirely untouched[39] and, in fact, after the reform they continued to maintain the control of some local cults.[40] By looking at the honorary decrees of the fifth century, in particular those granting citizenship to foreigners, we note that "the general pattern was for the new citizen to be made a member of both a deme and a phratry".[41]

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36 On the phratries before Cleisthenes' reform, see Lambert (1993) 245–275; cf. Parker (1996) 105–108.

37 Lambert (1993) 249–250 argues that in the 7th century, phratry procedures would have reflected the dominance of the *aristoi*, whereas their internal organisation in the 4th century would have mirrored the democratic norms of the period. However, he also notes that every Athenian was registered in a phratry and, obviously, in archaic Athens not all Athenians were *aristoi*; see Lambert (1993) 31–32, 248–249. On p. 33 he notes that phratry and deme in the fifth century were a dual link and "a common feature of the contemporary concept of Athenian citizenship".

38 Rhodes (1981) 253–254, 258; De Ste Croix (2004) 141 ff.

39 [Aristot.] *Ath. Pol.* 21, 6; Rhodes (1981) 258–260. Against this view, see Murray-Price (1990) 14–15.

40 Lambert (1993) 205 ff.; Parker (1996) 114; De Ste Croix (2004) 141.

41 Lambert (1993) 32; see also ibid. n. 31. One may say that membership in a phratry survived as a remnant of the previous organisation without any longer having effective implications. But Athenians were registered in their phratries well before the age of 18, when they officially became members of a deme. Thus, we have to presume that in the event that a child was declared unfit for phratry registration, he would never have come to be deme-registered at the age of 18. Further, even though the 10 Cleisthenic tribes were indeed territorial-based divisions, we should note that, in the generation following the reform, Athenians were registered in the same deme as their father, regardless of whether or not they were living in the same areas where their ancestors had lived. After the first gener-

Let us now turn to the third kind of 'mixing up' enacted by the reform. In the last lines of *Ath. Pol.*, 21.4, [Aristotle] notes that Cleisthenes "made all the inhabitants in each of the demes fellow-demesmen of one another, in order that they might not call attention to the newly enfranchised citizens".[42] After 508 BC, the most important element of identification for a citizen was the demotic, which, unlike the name and the patronymic, could not betray foreign origin. The third kind of blend of people enacted by the reform concerns, in fact, the new admissions to the citizen body of Athens. We do not read anything about this in Herodotus and our main source is Aristotle's *Politics*, where he says that after the expulsion of the tyrants "he [Cleisthenes] enrolled in his tribes many foreigners, and metics who were former slaves".[43] As noted above, in *Ath. Pol.* 13.5 [Aristotle] mentions the scrutiny of the lists of citizens (*diapsêphismos*) after the deposition of the tyrants and he seems to imply that with it many people were excluded from the citizen body after the end of Hippias' rule.[44] By contrast, *Ath. Pol.* 21.4 and, more clearly, *Politics* 1275b34–39 refer to the enfranchisement of new citizens carried out by Cleisthenes. It seems plausible that this also included the re-admission in the citizen body of those who had been excluded by the recent *diapsêphismos*.[45]

The main problem obviously arises from the fact that it is not clear whom Cleisthenes admitted to the citizen body: in *Politics* (ibid.), Aristotle mentions two groups; i.e., foreigners and metics who were former slaves.[46] Scholars

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ation, in fact, it could well be the case that the demesmen of a coastal trittys had moved to the *asty* of Athens, a phenomenon that had surely increased with the mass migration to the city in the first years of the Peloponnesian War. But these Athenians still took up membership in their father's deme. Kinship ties were far from being neglected. On this, see Whitehead (1986) 67–70.

42 [Aristot.] *Ath. Pol.* 21.4.

43 Aristot. *Pol.* 1275b34–39. See Rhodes (1981) 255–256. On the expression "foreigners and metics who were former slaves", see n. 46 below.

44 Rhodes (1981) 188 suggests that these non-Athenians might have been the mercenaries employed in the tyrants' army. For the view that they were craftsmen and mercenaries, see Manville (1994) 178–179. Welwei (1967) 429 excludes that a revision of the civic lists was carried out immediately after the deposition of Hippias and he suggests that the real revision was conducted in the context of the re-organisations of the demes following Cleisthenes' reforms. For a date to 508 BC for the revision of the lists of the citizen and a different interpretation of it, see Loddo (2012) 55–93 (also n.26 above). On the importance of civic subunits for the enfranchisement of citizens, see Ismard (2010).

45 This is the opinion of Rhodes (1981) 256. See ibid. for discussion and overview of scholarly debate.

46 On the use of *xenoi metoikoi* to indicate foreigners, see Rhodes (1981) 255. Cf. Welwei

suggested several possible candidates for the Cleisthenic enfranchisement, such as the immigrant craftsmen that Solon brought to Attica with the promise of granting them citizenship[47] and the tyrants' mercenaries.[48] Among these there might well have been individuals of different, including non-Ionian, origins. However, the evidence does not allow us a clear identification of these groups. What matters here, is that the importance given to the demotic in the new tribal system enabled the enfranchised citizens to be perfectly 'mixed up' and integrated into the political machine, at least with regard to access to civic institutions and selection for offices.[49]

As is obvious, this last aspect also mattered to the extension of political participation, as it was related to the enlargement of the citizen body itself. With regard to the figures of this enlargement, the sources give us no clue. We can only say that the increase of the number of the citizens was obtained not only through the naturalisation of foreigners as attested by Aristotle, but also through the return of those exiled Athenians who had fled the city with the Alcmeonids during the alliance of Isagoras and the Spartans. In light of this, it is clear that the re-organisation of civic subunits in Athens and the 'blend of the people' in 508 BC went hand in hand with the enlargement of the civic community.

Scholars have pointed out other plausible aims and effects that Cleisthenes' reform may well have had. Notably, van Effenterre and Siewert argued that the main purpose was a reform of the Athenian army.[50] On the basis of a detailed study of the ancient roads throughout Attica to Athens, and of the assignment of the demes to their respective trittyes in relation to these roads, Siewert argued that Cleisthenes created a system in which the army could be easily gathered together.[51] The demes, in fact, were assigned to the trittyes on the basis of what he defined as the *Zentralwegprinzip*: those of the same

(1967) 435, for the view that the *xenoi metoikoi* are simply metics—i.e., free-born foreigners resident in the city—while *douloi metoikoi*, are freedmen and descendants of freedmen resident in the city.

47 Rhodes (1981) 256 and Welwei (1967) 427 drawing from the later account of Plutarch, *Sol.* 24.

48 Bicknell (1969) 34–37; cf. Welwei (1967) 428; Rhodes (1981) 256 assumes that those who received citizenship within Cleisthenes' reforms were the same as those who had been deprived of it with the revision of the civic lists attested in [Aristot.] *Ath. Pol.* 13.5.

49 However, see Lape (2010) 61–94 and 186–239 on the rhetoric of racial citizenship and scrutiny of the lists of citizens in classical Athens.

50 Van Effenterre (1976) 1–17; Siewert (1982) esp. 137–160.

51 Siewert (1982) 84 ff.; 157–158.

trittys were generally located on a central road, with just a few exceptions.[52] In the new tribal system, the *lochos* of 300 men that each trittys provided could quickly line up and reach the Agora at Athens, where all the roads of Attica converged, by marching along the fastest route. Thereby, Cleisthenes created an effective citizen army, able to gather quickly together, which certainly did not exist at the time of the tyrants. However, reasonable doubts have been cast by Rhodes against Siewert's theory: the number of exceptions to the principle of combining neighbouring demes suggests that ease of mobilisation was not Cleisthenes' highest concern.[53] Furthermore, he observes that if the suggestion of trittys-based *lochoi* is true, it is surprising that we hear so little of the trittyes in later sources.[54] It seems more plausible that the purpose of fighting off regionalism and the power of the old elites in controlling access to politics were the main motivations beyond Cleisthenes' reform. This had indeed an impact on many aspects of the new organisation of the polis: along with the widening of political participation, the reform contributed to the definition of a new civic identity. To this also belonged the strengthening of the internal cohesion of the army; a citizen army that aims at internal cohesion necessarily needs to overcome the issue of territorial opposition and regional-based conflicts.

2 Dividing up the People? Tribal Reform at Cyrene

Some scholars have suggested that the forerunner of the Cleisthenic reform at Athens was the reform undertaken by Demonax of Mantineia at Cyrene around the mid-seventh century BC.[55] Information on tribal reform at Cyrene is provided by Herodotus,[56] who attests that the reform tackled the problems which arose when new colonists arrived to Cyrene after the first settlers.

We need to take a step back and look at what we know about the foundation of Cyrene. Herodotus reports what he calls the Theran and the Cyrenenean traditions on the foundation of the city[57] and further evidence is provided by a famous fourth-century decree containing the oath of the found-

52 See Siewert (1982) 84.

53 Rhodes (1983) 203.

54 Rhodes (1983) 204.

55 Notably, Jeffery (1961) 139, 147. On Cleisthenes' inspiration from Corinth, see Salmon (2003) 219–234; cf. Stanton (1986) 139–153.

56 Hdt. 4.161.1–2. See Corcella in Asheri-Lloyd-Corcella (2007) 689–691.

57 Hdt. 4.153 ff. See Corcella in Asheri-Lloyd-Corcella (2007) 680 ff.

ers.[58] There are obvious parallels between the historian's account and the oath, though it has been argued that Herodotus is not the source of it and that the text might well be the fourth-century edition of an original archaic document.[59] Herodotus says that at some point in the seventh century, the Therans, following a prophecy of the Delphic oracle, resolved to send one male adult from each family to Libya; the colonists would be chosen by casting lots and they would come from all the seven districts of the city.[60] In agreement with him, the decree mentions the king, Battos, as a leader of the expedition and the selection of one Theran from each household.[61] Herodotus also provides a rough figure of the first colonists, with the mention of two penteconter ships for a total number of ca. 150–160 colonists.[62]

In lines 27–28 of the decree, we read that the colonists sailed "*epi tai isai kai tai homoioiai*" ["on fair and equal terms"], a formula that Graham defines as a standard expression for colonial foundations from the middle of the fifth century with reference to the granting of equal political rights in the new city.[63] Although the language of the decree suggests a fourth-century redaction, the inscription, as noted above, seems to derive from an original document and

58 ML 5. On the oath of the founders, see Graham (1960) 94–111; (1964) 52 ff., 224 ff.; Jeffery (1961) 139–147; Seibert (1963) 9–71; Giangiulio (1981) 1–24 and (2001) 116–137; Malkin (1994) 1–9 and (2003) 153–170.

59 Notably Graham (1960); for dependence of both the inscription and Herodotus on Theran sources, see Jeffery (1961) 139–147, Seibert (1963) 9–71. Cf. Giangiulio (2001) 116–137.

60 Hdt. 4.153.1. On the seven *chôroi* of Thera, see Jones (1987) 215–216.

61 Several restorations have been proposed for the letter gap at lines 29–30: on the basis of Hdt. 4.153, Jeffery proposed the following: "one son is to be conscripted; from the perioeci (or townsmen?) adults the number of 100 are to sail, and from the other Therans, 100 free men." (1961, 140–141). At p. 141 she argues: "The restoration assumes that what Herodotus called 'all the districts, seven in number' consisted of Thera town and a perioecis of six districts. There is no ancient evidence that the districts of the island were called the perioecis, but the assumption is reasonable; Sparta, Thera's traditional mother-city, provides the obvious geographical parallel." However, the figure of 100 perioeci and 100 Theran colonists is a pure guess. Graham, by contrast, followed the widely-accepted restoration of Wilhelm and he translated as follows: "that one son be conscripted from each family; that those who sail be in the prime of life; and that, of the rest of the Therans, any free man who wishes, may sail" (Graham 1964, 225). For discussion about the text, see Graham (1960) 98.

62 Hdt. 4.153. See Corcella in Asheri-Lloyd-Corcella (2007) 680.

63 Graham (1960) 108 points out that the first occurrences are in the Athenian decree about Hestiaea *IG* I^3 41 (but the formula in the inscription is only a hypothesis of restoration) and in Thuc. 1.27.1, who says that when the Corinthians proclaimed a colony to Epidamnus, political equality was guaranteed to all who choose to go. Cf. Graham (1964) 59.

it may well provide genuine information on the first colonising expedition to Cyrene. The reference to equal rights for the colonists most probably suggests equal shares in land upon their arrival in the new city.[64] Further provisions about land in the colony are contained in the lines 33 ff.: "if the colonists establish the settlement, any of their fellow citizens who later sails to Libya shall have a share in citizenship and honours and shall be allotted a portion of the unoccupied land."[65] The colony took measures concerning future arrivals from Thera: the later colonists would partake in citizens' rights—as they would be granted *politeia*—including land ownership. Part of the land was intentionally left undivided, a provision in Greek colonies that is elsewhere attested.[66]

The situation at Cyrene, however, started becoming complicated in the course of the sixth century. According to Herodotus' account, based on the Delphic promise of 'land for all', new colonists from Crete, Peloponnese and the islands arrived at Cyrene. The new colonists appropriated the lands of the neighbouring Libyans, who asked for help from the Egyptians, and this led to the Cyrenean-Egyptian war.[67] The situation was, later on, aggravated by a series of internal conflicts within the royal house of the Battiads, which brought the Cyreneans to a war against those Libyans who had supported part of the Battiad family.[68] After suffering a defeat by the Libyans and further strife among the Battiads, the Cyreneans sent a delegation to Delphi to ask for help and a man from Arcadia, Demonax of Mantinea, was called in as an external arbitrator to settle the crisis.[69] According to Herodotus, he solved the problem by means of a tribal reform:

> when this man (Demonax) came to Cyrene and learned everything, he divided the people into three parts (τριφύλους ἐποίησέ σφεας); of which the

64 Malkin (2003) 162 notes that the idea that land distribution at Cyrene took place "much later" is to be ascribed to the 'purified tradition' that followed the pattern of *ktisis*-motif of difficult beginnings. It is obviously more likely that the first division of land took place among the first settlers and that a secondary division was undertaken later. For secondary land distribution after the original one, see Asheri (1966) 27 ff.; cf. Cecchet (2009) 191–197.

65 Tr. Graham (1964) 225.

66 See Graham (1964) 64–65 on the case of the settlement on Black Corcyra and the foundation of the Locrian community. See also n. 80, 81, 82 below.

67 Hdt. 4.159. Chamoux (1953) 135–138; Corcella in Asheri-Lloyd-Corcella (2007) 686–687; Grote (2016) 27.

68 Hdt. 4.160. On dissent within the Battiad family, see Chamoux (1953); Corcella in Asheri-Lloyd-Corcella (2007) 687–689; Grote (2016) 27.

69 Hdt. 4.161.1–2. On the Demonax of Mantinea, see Corcella in Asheri-Lloyd-Corcella (2007) 689–690. Cf. Aristot. *Pol.* 1319b1–27. See Chamoux (1953) 115–127.

> Theraeans and the perioikoi were one (μίαν μοῖραν), the Peloponnesians and the Cretans the second, and all the islanders the third.[70]
>
> Tr. A.D. GODLEY

As Herodotus explains, the Battiad monarchy was deprived of part of its prerogatives and, apart from some domains and priesthoods, "the rest was given to the demos, in common".[71] The historian does not provide many details on the tribal reform itself; he simply says that the citizens were now made *triphyloi*—that is "divided into three tribes"—and the reader is left wondering how this would have solved the crisis.

One major difficulty in the text is represented by the ambiguity concerning the composition of each tribe. Herodotus mentions three parts (*moirai*), which were respectively: 1) Therans (both Theran citizens and Theran *perioikoi*);[72] 2) Peloponnesians and Cretans; 3) islanders (including non-Dorians).[73] However, there is no consensus as to how each tribe was internally composed. The majority of scholars believe that each tribe was made up of one single *moira*.[74] An alternative reading, suggested by Jeffery and followed by Hölkeskamp, rejects the correspondence between *phylai* and *moirai*, implying that each tribe contained all the three *moirai*.[75] In this view, the Cyrenean tribes would be a cross-

70 Hdt. 4.161. See Roussel (1976) 300–301.

71 Hdt, ibid. On Demonax's intervention as a sign of the weakness of the Battiad monarchy, see Chamoux (1953) 139; Mitchell (2000) 88–90; cf. Laronde (2010) 99–104.

72 There has been much discussion about the word *perioikoi*. Busolt (1895) I, 490, n. 2 suggested they were the neighbouring Libyans; similarly, Schaefer (1963) 248–252. Mitchell (2000) 88–89 seems keener to believe the *perioikoi* were from Thera. It has been noted that it is unlikely that the local natives (Libyans) were mixed up with the descendants of the first settlers; see Chamoux (1953) 221 ff. How and Wells (1957) I, 355 suggested they were the Therans' serfs, but this view has found little favour. Chamoux (ibid.) argued that they were the Therans who arrived after the original settlers and were allocated land only outside the walls of Cyrene, living in the villages as clients of the original settlers. Along the same lines, Jeffery (1961), noting that Thera had a *perioikis* as her mother-city Sparta, proposed that the *perioikoi* had the same origin as the Therans. The possibility that they came from Thera has been the most widely accepted: see the convincing arguments of Jones (1987) 218 in support of Jeffery (1961), Hölkeskamp (1993) esp. 412, and the recent discussion by Grote (2016) 31–34; cf. Corcella in Asheri-Lloyd-Corcella (2007) 690, who also maintains they were from Thera.

73 On the composition of the *moira* of the islanders, see Jeffery (1961) 142, n. 9 on Lindians and 142–143.

74 See Jones (1987) 216; similarly, also Corcella in Asheri-Lloyd-Corcella (2007) 690, who suggests parallels in other colonies, such as Thurii.

75 Jeffery (1961) 141–144; see Hansen-Nielsen (2004) 1244. Against Jeffery's view, see Jones

section of the entire population, similar to the Cleisthenic tribes in Athens, and yet with a fundamental difference: whilst Cleisthenes mixed the people up on the basis of geographical provenance within Attica, at Cyrene the three sections were differentiated according to the local provenance of the settlers.

Jeffery supported her view of a mixed composition of the Cyrenean tribes mainly based on a passage of Aristotle's *Politics*, in which Athens and Cyrene are both mentioned together:

> … for democracy are useful also the kind of arrangements to which Cleisthenes at Athens resorted when he wanted to strengthen the democracy, and in the case of Cyrene those who established the demos. For different and most numerous phylai and phratries must be created …[76]
>
> Tr. H. RACKHAM

However, it has been noted that Aristotle is more likely to refer here not to Demonax's reform, but to a latter change which occurred in the middle of the fifth century BC, when the Battiad monarchy came to an end.[77] Even provided that these passages draw a parallel between Cleisthenes and Demonax, this may simply signify that both reformers improved the political crisis by reforming the tribal system, but it certainly does not say that the Cyrenean tribes resembled those of Cleisthenes in their composition. Hölkeskamp argued that the Cyrenean tribes contained all the three *moirai*, mainly based on an *argumentum ex silentio*, namely, on the fact that, in contrast to many other naturalisation decrees, in the Cyrenean oath of the founders the new colonists from Thera are not assigned to any specific tribe. After being granted *isopoliteia*—i.e., equal rights with the citizens of Cyrene—it is stated that they shall be assigned to one tribe, one *patra* and one of the nine *hetaireiai*, but no precise instructions are given as to these subdivisions.[78] According to Hölkeskamp, this suggests that each of the three tribes contained the *moira* of the Therans. But, as is apparent, this formulation of the text may well also prove true the oppo-

(1987) 217. In support of Jeffery (with the addition of further arguments), see Hölkeskamp (1993) 404–421.

76 Aristot. *Pol.* 1319b19–27. On the possibility of the creation of citizen registers at Cyrene in the context of Demonax's reform, as in Cleisthenes' reform in Athens, see Faraguna (2015) 655–656.

77 See Jones (1987) 218. On the end of the Bacchiad monarchy, see Chamoux (1953) 202–210; Mitchell (2000) 93–97.

78 ML 5 l. 12 (*isopoliteia*); ll. 15–16 (registration in the tribe, *patra* and *hetaireia*). See Hölkeskamp (1993) 412. For further objections to Hölkeskamp, see Grote (2016) 34–37.

site case: the absence of specification of the tribe might show that there was only one tribe in which they could be registered; i.e., that containing the *moira* of the Therans.

Is it plausible that Demonax enacted a mixing up of the people similar to that enacted by Cleisthenes in Athens? I believe that this would hardly have offered a solution to the conflict in Cyrene. The *moirai* that Demonax created were, *per se*, already a 'blend of people', because one tribe put together old and new Theran colonists and Theran *perioikoi*; another united Peloponnesians and Cretans, who shared in common Dorian origins, but came from different *poleis*; and another one combined all the islanders, including perhaps also non-Dorians. It seems that the criteria Demonax adopted in his grouping were based on the local provenance of the colonists, but also on the different waves of colonisation. This makes sense if we think of the context in which the conflict in Cyrene arose. Herodotus (4.159–160) speaks of internal tensions in relation to the question of land. Problems began with the immigration of new colonists and their claims on land. Each group had obviously different claims: the first settlers claimed their right to maintain their lots; later colonists from Thera asserted their right to the lots allocated from public land, as stated in the foundation decree; while Peloponnesians, Cretans and the islanders, who had been left struggling, ended up taking away land from the Libyans. As is apparent, Demonax, as well as transferring powers from the royal house of the Battiads to the demos, also needed to define the rights of earlier and later settlers with regard to the question of the land. This explains why he identified each *moira* according to the waves of immigration. It is unlikely that he blended the three *moirai* within each tribe, distributing rights on land equally among all, as this would have probably led more quickly to civic strife (*stasis*) than to a resolution. Far from being a way to further increase opposition, the separation of the three groups of colonists was a way to regulate land ownership and prevent the risk of re-distribution.[79]

79 Here I do not agree with Grote (2016) 38–39, who follows Walter (1993) 148, arguing that one of the roots of the problem was the fact that the last colonists, who lived far from the Agora of Cyrene, could not regularly partake in the Assembly meetings and that the reform granted equal political rights to all tribes (cf. also ibid. 42). In fact, we have no evidence to believe that the conflict in archaic Cyrene was caused by limitations in access to civic institutions; Herodotus 4.159 clearly refers to problems of land distribution in the specific colonial context created by the several waves of immigration and, in addition, to conflicts internal to the Battiad family (4.160). The expression τὰ ἄλλα πάντα τὰ πρότερον εἶχον οἱ βασιλέες ἐς μέσον τῷ δήμῳ ἔθηκε (Hdt. 4.161) certainly shows that Demonax gave to the demos a larger share in the political life of the polis, but we have no evidence of equal polit-

Interestingly, we have some attested cases in the epigraphic record from which we derive a clue of how colonies acted to prevent the risks of internal strife deriving from the arrival of new settlers and land distribution. An example is provided by a famous inscription of a Locrian community settling a new territory in Aetolia or near Naupactus, dated to the late sixth century BC.[80] The inscription on a bronze tablet contains, on the obverse, the text of a regulation concerning the land in the new colony. The text illustrates three fundamental points: the rules concerning land ownership among the first settlers;[81] the ban of redistributing the land after the first allotment; and the possibility of admitting 200 new settlers for military reasons and their right to own land.[82] The lines 11–14 set out the punishment for those who attempt to redistribute land in violation of these regulations: their property shall be confiscated and their house demolished. The presence of such a detailed regulation suggests that problems deriving from the arrival of later settlers and concerning land distribution were well known when new settlements were founded. The regulation aimed to protect the rights of the first settlers, while at the same time allowing the possibility of new admissions in the citizen body and subsequent allocation of public land.

At Cyrene, it seems the later waves of immigration from the Peloponnese and from the islands found the Cyreneans rather unprepared. Demonax had to put order on a chaotic situation and he did this through mediation: by means of diving the people into three tribes, he recognised, on the one hand, the right of all the three groups of settlers to be part of the polis; in fact he also included the later colonists—namely the Peloponnesians, the Cretans and the other islanders—within the citizen body.[83] On the other, he differentiated the rights

ical rights for the members of the three *moirai*. We should refrain from applying too readily the Athenian democratic model to archaic Cyrene. For an interpretation of the reform as a way to strengthen the landed aristocracy of the Therans, see Mitchell (2000) 88.

80 ML 13. For problems concerning the attribution of the text to a polis, see ibid. 24–25.

81 In particular, land rules about pasturage and cultivation are stated on the obverse at lines 3–7.

82 A ban of redistribution, with the exception of the 200 new colonists, and consequent curse and penalty on the obverse are stated in the lines 7–14. According to the restoration accepted by Meiggs-Lewis the text at ll. 15–17 reads: "the land shall belong, half to the previous settlers, half to the additional settlers". In ll. 1–3 regulations also include public land (l. 3: *damosion*).

83 Jones (1987) 216–219 maintained that before Demonax's reform there were just the three Dorian tribes, in which the Theran colonists were registered. Now three new tribes were created to include in the citizen body also more recent non-Theran colonists. Cf. Hölkeskamp (1993) 409 against the idea that Demonax created three new tribes.

on land ownership among each *moira*; i.e., among original settlers and later arrivals from Thera from the one side, and *nouveaux venus* from other parts of Greece, on the other. The first settlers from Thera indeed maintained the rights on the lots allocated within the 'primary division' of land, while later Theran colonists maintained their right on the lots within the 'secondary division', as was prescribed in the founding decree of the city.[84] This seems to have been the norm in Greek foundations and the most obvious way to avoid civic strife deriving from land re-distribution.

We are not informed about land provisions for Peloponnesians, Cretans and other islanders and we do not know if their occupation of the lands of the Libyans became permanent, although this is suggested by the Cyrenean victory in the Egyptian war. Further, we do not know how political rights, such as appointment of offices, were distributed among the three tribes and we have no evidence to believe that all three *moirai* enjoyed equal status within the political community.[85] We cannot exclude that offices or access to a specific institutional organ might have remained a prerogative of the first settlers; i.e., of the first *moira*, that of the Therans. On this note, we should remember that Aristotle, in *Politics*, says that in other colonies, such as Thera and Apollonia on the Adriatic Sea, only the first settlers could hold offices.[86] As we noted, it is highly likely that rights concerning land did differ among the three *moirai*, as a way to protect the land of the first settlers. Parallels with Cleisthenes' reform at Athens should therefore be limited to the action of re-organisation

84 The expressions 'primary division' and 'secondary division' are those of Asheri (1966).

85 Cf. Mitchell (2000) 89: "By the tribal reform, the new settlers will have gained constitutional uniformity with the original Theran colonists but the latter will have been left united, with their land tenure and social organisation untouched and with the *perioikoi* added to their local tribe, that of their masters, which would have discouraged their democratisation. The Therans would therefore have been strengthened rather than weakened as a landed aristocracy and enabled to oppose the monarchy". Further (ibid.): "The Therans, who formed the first tribe along with their *perioikoi*, will have been of higher status, derived from their longer occupation of richer land closer to the city and with control over their *perioikoi*. They therefore had local power, analogous to the influence of Athenian families with estates in the Attic plain before Cleisthenes' tribal reform split them up between the ten new Attic tribes."

86 Aristot. *Pol.* 1290b12–15. See Jeffery (1961) 143. Another clear example is the appointment of *timai* according to property class: at Athens, for example, in Solons' constitution only the first two property classes could access archonship before it was open to the Zeugitai in 457 BC. Thetes seem to be excluded from most magistracies, though [Aristot.] *Ath. Pol.* 7.4 suggests this rule may not have been observed in the fourth century. On the unequal distribution of *timai* among citizens in Greek poleis, see Blok (2013) 171–173.

of the civic body by means of a tribal reform that tackled internal crisis, but we have no reasons to assume an analogy between the composition of the Cleisthenic tribes and that of the Cyrenean tribes, nor to assume a similar political organisation in archaic Cyrene and in the Cleisthenic democracy. This perspective would downplay the specific nature of the agrarian crisis in the colonial context of Cyrene.

Tribal reform at Cyrene was indeed a tool for legitimising the position of different groups based on their local provenance and, in relation to it, based also on the wave of colonisation in which they took part. In this way, the reform was a decisive measure for integrating the newcomers into the civic community, while at the same time defining their position and protecting the rights of the first colonists.

3 Re-founding the Citizen Body: New Civic Units at Camarina

In the case of the Sicilian polis Camarina, we have extraordinary material evidence for a general re-distribution of the civic body into new civic subunits—the phratries—in the first half of the fifth century BC. Such a reorganisation was revealed by the finding in 1987 and publication by Cordano of 154 lead tablets,[87] all of which were found in the temple of Athena, apart from one found in the southern side of the *temenos*.[88] The tablets were possibly contained in a wooden box, due to the way in which they were preserved (banded and rolled) which suggests that they were not meant to be used after their display in the temple. They show on one side a personal name in the nominative with its patronymic in the genitive case and on the other one an ordinal number (the biggest being "fourteenth"), associated in some cases with the word *phratra* or *phatra*, either in the nominative or in the genitive case.[89] Some of them, such as tablets n. 2 and n. 69, also have an indication of another subunit, the *triakas*, possibly in order to avoid ambiguity in case the same name occurred several times. Cordano suggests that the tablets were used for the allotment of offices, their shape being suitable for insertion in a ballot box similar to that used for the selection of jurors at Athens.[90] In order to advance further hypotheses on

87 Cordano (1992) 29–73.

88 On the topography of Camarina, see Uggeri (2015).

89 Cordano (1992) 81.

90 See Cordano (1992) 88. On the plaques as tools of Camarinian democracy, see Robinson (2002) 61–77. Cordano (1992) 94 and (2004) 287–288 is more cautious and speaks of a "republic".

their possible use, however, we must first examine some crucial points about the history of Camarina.

The city was founded by Syracuse in the beginning of the sixth century and was then subdued by her around fifty years later.[91] Thereafter, it remained under the rule of Syracuse until Syracuse was besieged by Hippokrates of Gela in 492 BC.[92] The tyrant re-founded Camarina for the first time around 492 BC, probably by transferring people from Gela to the 'new' polis.[93] With the succession of Gelo to Hippocrates, nonetheless, its inhabitants were deported to Syracuse. An honorary decree from Olympia[94] dating to this period shows that the Camarinians received Syracusan citizenship, but did not lose their original identity as Camarinians. Prassiteles, the recipient of the honorary decree, is defined both as Syracusan and as Camarinian.

In 461 BC, after the end of tyranny at Syracuse, Camarina was re-founded a second time by the Gelans: this entailed the return of the Camarinians from Syracuse to their city.[95] It is likely, thus, that the situation was quite confused. The Camarinians who had been transferred to Syracuse could now officially be citizens in their polis. But as well as her former inhabitants, new settlers from Gela also joined the new citizen body.[96] In this chaotic context, a new citizen body had to be founded, made of up of former and new Camarinians. Cordano highlights that sources use two terms to indicate the re-foundation: *katoikizein* (used by Thucydides and Diodorus Siculus),[97] which designates the settling of new inhabitants, and *synoikizein* (used by Timaeus and Philistus),[98] that implies the participation of various unspecified groups in the re-organisation.[99] Diodorus Siculus attests that, together with the re-foundation, the Gelans re-distributed the land by lot.[100]

It is therefore against this tormented background that we must contextualise the finding of our tablets. The form of the letters suggests a dating from the

91 Thuc. 6.5.3. See Cordano (1992) 3–15; Di Luna (2009) 75–86.

92 Hdt. 7.154.

93 Thuc. ibid.

94 *IvO* 266; see Cordano (1992) 6.

95 Thuc. ibid.

96 Information about a *synoikismos* of Gelans and Camarinians is provided by Tim. *FGrHist* 566 F 19 and Phil. *FGrHist* 556 F 15. See Cordano (2004) 283–284. About land distribution between Gelans and Camarinains, see Diod. 9.76.5. See Cordano (2004) 286.

97 Thuc. 6.5.3; Diod Sic. 11.76.4–5. See Cordano (1992) 7; see Casevitz (1985) 168.

98 Tim. F 19 and Phil. F 15; see n. 96 above. See Cordano, ibid.

99 Cordano (1992) 7.

100 See n. 97 above.

first half of the fifth century.[101] Their re-use and deposition in the temple is likely to date to the second foundation, around 461 BC. The allotment of the public offices implies the participation of the citizens in the administration of the state, a practice unacceptable to a tyrant.[102]

As we have seen, there are three elements that identify citizens in the tablets: name, patronymic, and, most interestingly, the phratry. Phratries in Camarina seem to have the very important function that elsewhere in the Greek world was assigned to the tribes. But, different from typical cases, phratries on the Camarinian plaques do not appear with names: they are merely indicated by numbers.[103] The lack of names is the main clue that the tablets attest a completely new system, for which the polis did not have any pre-existing structures. The units were not ancient subdivisions of the citizen body, but rather new creations introduced *ad hoc* with the re-foundation of 461 BC.

Interestingly, the tablets were used several times before deposition. Cordano pointed to a number of them in which earlier names were erased and new names were inscribed.[104] We do not know exactly what other functions they might have previously had, but their shape suggests they are ballot cards, so they might have been previously used for the distribution of land or the allotment of some other public offices before they were used in the last allotment and deposited in the temple. Cordano also proposed that they might have been used for registering the right to public pay, based on the indication *dekalitron* on two of them.[105] Nonetheless, after their location in the temple, the plaques were not meant to be re-used; this is confirmed by the fact that some of the citizens are indicated as being deceased, as the presence of the verb *tethnake* on some of them shows.[106] In all probability, their deposition in the temple served as the proof of a foundation act after all previous steps (recruitment of citizens, distribution of land, allotment of offices) had been done.

Camarina was brought to life again. A new citizen community was built with former and new members and the political apparatus was fully re-organised. The new order needed to be legitimised by a formal act, probably within a religious ceremony. This also explains why the objects of dedication are ballot plaques and not, as we might expect, a list of names inscribed on stone. The

101 So Cordano (1992) 77–79.

102 Cordano (1992) 94. Cf. Cordano (2004) 284.

103 Cordano (1994) 418–419 suggests that the number shows the quartier of the city. On the phratries of Camarina, see also Del Monaco (2004) 597–613.

104 Cordano (1992) 30.

105 Cordano (1992) 84.

106 Precisely, tablets n. 81; 93; 56; 112b: 135; 136; see Cordano (1992) 84.

plaques probably preserved the memory of the last in the row of the allotments of magistracies. The fact that the same tablets had been already used for other allotments before being dedicated in the temple might well show the rush of the Camarinians to provide their city with a new civic order.[107]

Commenting on the absence of names for the phratries, Murray notes that numbers are a good expression of what he defines as "the rationality of the Greek city", noting that "the rationality of these new institutions is shown by their numerical basis, and the absence of any attempt in them to recall a more complex or more embedded relationship to the past."[108] The absence of phratry names might indeed be indicative of a rejection of re-using existing names—all the more so if these matched with those of the Syracusan phratries, which would explain the reason for the cancellation of anything reminiscent of the 'Syracusan captivity'. But this choice could also be ascribed to the refusal of appealing to a 'pure Camarinian tradition', in respect to the new mixed composition of the citizen body, in which not only Camarinians, but also Gelans and probably settlers from other *poleis*, belonged.[109] The use of numbers is explained also by the rush in which the city founded new units and needed to put them into use.

We do not know by what criteria the new phratries and the other shown divisions (the *triakades*), were identified. Cordano suggested that the numbers corresponded to the districts in the city.[110] It has been argued that Camarina took inspiration for her new civic subdivisions from the Athenian model, because contacts between the two *poleis* in the fifth century are largely attested by the presence of Attic pottery in Camarina and, furthermore, by her alliance with Athens later on in 427 BC.[111] Murray noted that it might well be that the recent changes under Ephialtes would have made the Athenian example more prominent.[112] Robinson argued for a Camarinian democracy in the fifth century, based on the practice of allotment for which the plates provide evidence.[113] Nonetheless, we do not have much ground to claim that the new Camarinian

107 I agree with Faraguna (2015) 659 that the function of the tablets was not mainly symbolic, as their several re-uses show they were practically deployed for selection and allotment. I believe, however, that their final preservation in the temple had a symbolic value, as the proof of the last act of the process of refoundation of the city.

108 Murray (1997) 497.

109 Convincingly, Cordano (1994) 419.

110 See n. 103 above.

111 See Cordano (1992) 9–10; Murray (1997) 497.

112 Murray, ibid.

113 Robinson (2002) 61–77.

system imitated the Cleisthenic one, as we know nothing about the composition of the Camarinian phratries.[114] In contrast with the Athenian model, the phratries in Camarina are mentioned in official ballot lots, while in the Athenian allotment and voting practice they usually do not appear: the *ostraka* used for the *ostrakismos*-vote show that citizens were designed mostly by name, patronymic and demotic.[115]

Most probably, Camarina developed her new civic structure autonomously and in a very short period of time, as the fact that no names but rather numbers were chosen to indicate the phratries. This was an emergency act after a long story of deportations. The recent past of the city may have played a role far more important than any contact with Athens in fuelling the need of a radical re-organisation.

4 Conclusions

In the late archaic and early classical periods, Athens, Cyrene and Camarina changed the divisions of their citizen bodies. These reforms were carried out after the end of a troubled period; i.e., civil and political strife at Athens, immigration of new settlers and conflicts between colonists and locals at Cyrene, and the re-foundation of the city after deportations of citizens at Camarina.

The main features of the reforms seem to have been to some extent similar, as far as they all entailed the registration of citizens into new civic units and they all aimed to solve political crises. But there are some important differences in the mode of creation and composition of new units. Cleisthenes' reform enacted a threefold blend of the people; i.e., geographical (from different parts of Attica), socio-economic (against the power of the elites), and ethnic (enfranchisement and integration of new citizens). By contrast, in Cyrene it is unlikely that each tribe mixed up citizens from all groups of settlers, as the nature of the conflict in Cyrene was not regional, as it was in Athens at the time of Peisistratus, but centred on the question of land in a colonial context. It is more likely that the reform aimed at integrating new colonists while at the same time protecting the rights of the first settlers. Camarina's case differs from the previous two because it had to deal with an act of re-foundation of the entire

114 Murray argues that "the essential similarity of the thought process behind the two reforms lies in the importance of validating the new institutions by appeal to religious authority" (Murray [1997] 501).

115 For citizens' names on the *ostraka*, see Brenne (2001) 49–86. On the identification of citizens on Athenian *ostraka* and dikastic *pinakia*, see recently Faraguna (2014) 168–169.

citizen body after deportation. Re-foundation seems to have followed the steps similar to those probably undertaken in the foundation of new settlements: registration of the citizens in newly founded civic units, allotments of offices, and distribution of land.

In all the above cases, the re-organisation of the citizen body had the effect of making the polis more stable, thereby opening a new season of political life. In Athens, the reform was a fundamental step in the widening of political participation. In the case of Cyrene, all we can say is that the new system, while recognising the different claims on land of the settlers, apparently solved the conflict by enabling all three groups to be part of the polis. In Camarina, the allotment of offices for which the plates were used is indeed reminiscent of democratic practices. The later alliance with Athens suggests that the polis might have had a democratic government, though we do not know if the deposition of the plates in the temple of Athena was the formal act of celebrating the introduction of democracy.

What is interesting is the fact that these three cases, all coming from different parts of the Greek world, show that civic order in the Greek *poleis* was thought of as achievable only through establishing subunits. Any reform of the old civic order and any foundation of a new one entailed a reform of the existing subdivisions or the introduction of new divisions in the citizen body. Before being a member of the polis *in pleno*, a citizen experienced membership in the smaller divisions that comprised the polis.

Bibliography

Andrewes, A., 1956. *The Greek Tyrants.* London.

Andrewes, A., 1977. Kleisthenes' reform bill. *CQ* 27: 3–9.

Asheri, D. 1966. *Distribuzioni di terre nell'antica Grecia*. Torino.

Asheri, D., A. Lloyd, A. Corcella. 2007. *A Commentary on Herodotus*. Books I–IV. Oxford.

Berve, H. 1967. *Die Tyrannis bei den Griechen.* 2 vols. München.

Bicknell, P.J. 1969. Whom did Kleisthenes enfranchise? *PDP* 24: 34–37.

Blok, J. 2013. Citizenship, the citizen body and its assemblies. In *A Companion to Ancient Greek Government*, ed. H. Beck, 161–175. Oxford.

Bockisch, G. 1976. Zur sozialen und ethnischen Herkunft der Tyrannen von Sikyon. *Klio* 58: 527–534.

Brenne, S. *Ostrakismos und Prominenz in Athen. Attische Bürger des 5 Jhs. v. Chr. auf den Ostraka. Tyche 3*. Wien.

Busolt, G., 1895. *Griechische Geschichte*. Vol. I. Gotha.

CAH 1923–1924 = *Cambridge Ancient History*. 1st ed. Cambridge.

Casevitz, M. 1985. *La Vocabulaire de la colonisation en grec ancien*. Paris.

Cecchet, L. 2009. Γῆς ἀναδασμός: A real issue in the Archaic and Classical *poleis*? *Biblioteca di Athenaeum* 55: 185–198.

Chamoux, F. 1953. *Cyrène sous la monarchie des Battiades*. Paris.

Cordano, F. 1992. *Le tessere pubbliche dal tempio di Athena a Camarina*. Roma.

Cordano, F. 1994. La città di Camarina e le corde della lira. *PdP* 49: 418–426.

Cordano, F. 2004. Camarina città democratica? *PdP* 59: 283–292.

Cordano, F. 2011. *Camarina. Politica e istituzioni di una città greca. Themata 8*. Roma.

De Ste. Croix, G.E.M. 2004. *Athenian Democratic Origins*. Oxford.

Del Monaco, L. 2004. Le fratrie di Camarina e gli strateghi di Siracusa. *Mediterraneo antico* 7: 597–613.

Di Luna, M.E. 2009. Camarina sub-colonia di Siracusa: dalla fondazione al conflitto. In *Colonie di colonie. Le fondazioni sub-coloniali greche tra colonizzazione e colonialismo. Atti del convegno internazionale, Lecce, 22–24 giugno 2006*, eds. M. Lombardo, F. Frisone, 75–86. Galatina.

Eliot, C.W.J. 1967. Aristotle, *Ath. Pol.* 44.1 and the meaning of Tryttis. *Phoenix* 21: 79–84.

Faraguna, M. 2014. Citizens, non-citizens and slaves. Identification methods in Classical Greece. In *Identifiers and Identification Methods in the Ancient World*, ed. M. Depauw, S. Coussement, 165–183. Leuven, Paris, Walpole.

Faraguna, M. 2015. Citizen registers in Archaic Greece: The evidence reconsidered. In *AXON. Studies in Honor of Ronald S. Stroud*, eds. A.P. Matthaiou and N. Papazarkadas, 649–667. Athens.

Forrest, G. 1966. *The Emergence of Greek Democracy: the Character of Greek Politics 800–400 BC*. York.

Giangiulio, M. 1981. Deformità eroiche e tradizioni di fondazione: Batto, Miscello e l'oracolo delfico. *ASNP* 11: 1–24.

Giangiulio, M. 2001. Constructing the past: colonial traditions and the writing of history. In *The Historian's Craft in the Age of Herodotus*, ed. N. Luraghi, 116–137. Oxford.

Graham, A.J. 1960. The authenticity of the Opkion ΤΩΝ ΟΙΚΙΣΤΗΡΩΝ of Cyrene. *JHS* 80: 94–111.

Graham, A.J. 1964. *Colony and Mother City in Ancient Greece*. Manchester.

Grote, O. 2016. *Die griechischen Phylen. Funktion, Entstehung, Leistungen*. Stuttgart.

Guarducci, M. 1937. *L'istituzione della fratria nella Grecia antica e nelle colonie greche di Italia*. Roma.

Hansen, M.H. 1977. How did the Athenian Ecclesia vote? *GRBS* 18: 123–137.

Hansen, M.H. 1994. The 2500th anniversary of Cleisthenes' reforms and the tradition of Athenian democracy. In *Ritual, Finance, Politics. Athenian Democratic Accounts Presented to David Lewis*, eds. R. Osborne, S. Hornblower, 25–38. Oxford.

Hansen, M.H. and Th.H. Nielsen, eds. 2004. *An Inventory of Archaic and Classical Poleis*. Oxford.

Hignett, Ch. 1952. *A History of the Athenian Constitution to the End of the Fifth Century B.C.* Oxford.

Hopper, R.J. 1961. Plain, shore, and hill in early Athens. *ABSA* 56: 189–219.

How, W.W., Wells, J. 1957. *A Commentary on Herodotus*. 2. Vols. Oxford.

Hölkeskamp, K.-J. 1993. Demonax und die Neuordnung der Bürgerschaft von Kyrene. *Hermes* 121: 404–421.

Ismard, P. 2010. *La cité des réseaux. Athènes et ses associations, VIe–Ier siècle av. J.-C.* Paris.

Ismard, P. 2011. Les associations et la réforme clisthénienne: le politique «par le bas». In *Clisthène et Lycurgue d'Athènes: autour du politique dans la cité classique*, eds. Azoulay V. and P. Ismard, 165–174. Paris.

Jeffery, L.H. 1961. The pact of the first settlers at Cyrene. *Historia* 10: 139–147.

Jones, N.F. 1987. *Public Organisation in Ancient Greece. A Documentary Study*. Philadelphia.

Jordan, B. 1970. Herodotos 5.71.2 and the Naukraroi of Athens. *CSCA* 3: 153–175.

Kluwe, E. 1972. Bemerkungen zu den Diskussionen über die drei «Parteien» in Attika zur Zeit der Machtergreifung des Peisistratos. *Klio* 54: 101–124.

Lalonde, G.V. 2006. IG I^3 1055 B and the boundary of Melite and Kollytos. *Hesperia* 75: 83–119.

Lambert, S.D. 1993. *The Phratries of Attica*. Ann Arbor.

Lape, L. 2010. *Race and Citizen Identity in the Classical Athenian Democracy*. Cambridge.

Laronde, A. 2010. «Cyrène sous la monarchie des Battiades» revisité. In *Journée d'hommage à François Chamoux*, eds. J. Leclant, A. Laronde, 99–104. Paris.

Lewis, D.M. 1963. Cleisthenes and Attica *Historia* 12: 22–40.

Loddo, L. 2012. Il *diapsephismos* post-tirannico: cittadinanza e lotta politica. *RSA* 42: 55–93.

Lohmann, H. 1993. *Atene: Forschungen zu Siedlungs- und Wirtschaftsstruktur des klassischen Attika*. Vol. 1. Köln.

Malkin, I. 1994. Inside and outside: colonization and the formation of the mother city. In *Apoikia. Studi in onore di G. Buchner = Annali dell'Istituto universitario orientale di Napoli* (sezione di archeologia e storia antica) 16: 1–9.

Malkin, I. 2003. Tradition in Herodotus: the foundatiotion of Cyrene. In *Herodotus and his World. Essays from a Conference in Memory of George Forrest*, ed. P. Derrow, R. Parker, 153–170. Oxford.

Manville, P.B. 1990. *The Origins of Citizenship in Ancient Athens*. Princeton.

Mitchell, B. 2000. Cyrene: Typical or atypical? In *Alternatives to Athens: Varieties of Political Organization and Community in Ancient Greece*, eds. R. Brock and S. Hodkinson, 82–102. Oxford.

Murray, O. 1997. Rationality and the Greek city: the evidence from Kamarina. In *The Polis as an Urban Centre and as a Political Community*, ed. M.H. Hansen, 493–504. Copenhagen.

Murray, O. and S. Price, eds. 1990. *The Greek city from Homer to Alexander*. Oxford.

Parker, R. 1996. *Athenian Religion: A History*. Oxford.

Rhodes, P.J. 1981. *A Commentary to the Aristotelian Athenaion Politeia*. Oxford.

Rhodes, P.J. 1983. Reviewed work: Die Trittyen Attikas und die Herresreform des Kleisthenes by P. Siewert. *JHS* 103: 203–204.

Robinson, E.W. 2002. Lead plates and the case for democracy in fifth-century BC Camarina. In *Oikistes. Studies in Constitutions, Colonies and Military Power in the Ancient World Offered in Honor of A.J. Graham*, eds. V.B. Gorman, E.W. Robinson, 61–77. Leiden.

Roussel, D. 1976. *Tribu et cité*. Paris.

Salmon, J. 2003. Cleisthenes of Athens and Corinth. In *Herodotus and His World*, eds. P. Derow and R. Parker, 219–234. Oxford.

Schaefer, H. 1963. *Probleme der alten Geschichte. Gesammelte Abhandlungen und Vorträge*. Göttingen.

Schmidt-Hofner, S. 2014. Politik räumlich denken. Herodots drei Parteien in Attika und das politische *Imaginaire* der Griechen. *HZ* 299: 624–668.

Sealey, R. 1960. Regionalism in Archaic Athens. *Historia* 9: 155–180.

Seibert, J. 1963. *Metropolis und Apoikie. Historische Beiträge zur Geschichte ihrer gegenseitigen Beziehungen*. Würzburg.

Siewert, P. 1982. *Die Trittyen Attikas und die Herresreform des Kleisthenes*. Munich.

Stanton, G.R. 1986. The territorial tribes of Corinth and Phleious. *ClAnt.* 5: 139–153.

Szanto, E. 1901. *Die griechischen Phylen*. Wien.

Thompson, W.E. 1971. The Deme in Kleisthenes Reforms. *SO* 46: 72–79.

Traill, J.S. 1975. *The Political organisation of Attica. A Study of the Demes, Trittyes, and Phylai and their Representation in the Athenian Council.* Hesperia Supplement 14. Princeton.

Uggeri, G. 2015. *Camarina: storia e topografia di una colonia greca di Sicilia e del suo territorio*. Galatina.

Van Effenterre, H. 1976. Clisthène et les mesures de mobilisation. *REG* 89: 1–17.

Van Wees, H. 2004. *Greek Warfare. Myths and Realities*. London.

Van Wees, H. 2013. *Ships and Silver, Taxes and Tribute. A Fiscal History of Archaic Athens*. London.

Vernant, J.P. 1996. Cleisthenes's models. In *Cleisthenes the Athenian: an Essay on the Representation of Space and Time in Greek Political Thought From the End of the Sixth Century to the Death of Plato*, eds. Pierre Lévêque and Pierre Vidal-Naquet, 44–51. New Jersey.

Wade-Gery, H.T. 1958. *Essays in Greek History*. Oxford.

Walter, U. 1993. *An der Polis teilhaben. Bürgerstaat und Zugehörigkeit im archaischen Griechenland.* Historia Einzelschriften 82. Stuttgart.

Welwei, K.-W. 1967. Der *diapsephismos* nach dem Sturz der Peisistratiden. *Gymnasium* 74: 423–437.

Whitehead, D. 1986. *The Demes of Attica 508/7–ca.250 BC: A Political and Social Study*. Princeton.

CHAPTER 3

Politeia in Greek Federal States

Chiara Lasagni

1 Part 1—Framing Federal *sympoliteia*: General Remarks on Citizenship in Greek Federal States

1.1 *The Question of* politeia *in Federal States*

The question of *politeia* (here meant as the body of prerogatives related to citizenship within a state community) represents a central topic in the institutional history of the Greek federal states.[1] We can credibly argue that not only the creation of a central polity of the *ethnos* but, above all, the acknowledgment of civil rights shared in common by all member communities were the underlying reasons behind the birth of federal states in Greece. In other words, the causes for the extraordinary expansive force and attractiveness of Greek federal states in the fourth and third centuries should not only be sought in their ethnic cohesion or in their military power, but first and foremost in the codification of a federal *politeia*, which fostered economic and social mobility as much as it guaranteed equality of political rights within the territory of the whole *ethnos*.

Actually, one can find several overlapping elements between the federal states and the other 'interstate' political organizations, such as amphictyonies and symmachies. On one side, in many respects, federal states behaved as 'leagues of neighbours', that is, as political organizations built upon a community of cults.[2] On the other side, the military impact of the later-born fed-

1 Beck (2001) 370. On this topic, see Beck (1997) 174–179; Freitag (2012) 83–95; Rizakis (2012) 23–38 (with further references to the previous literature, see in particular Freitag [2012] 83–85). This article was written and delivered for publication a few months after the Conference at Urbino, and long before the publication of the fundamental volume edited by Beck and Funke, *Federalism in Greek Antiquity*, whose content might not, as a consequence, have been taken into account for the present analysis.

2 See Morgan (2003) 108, who sustains the need for a 'reappraisal of the long argued view that cult centres in the *ethne* served as regional meeting places before the development of city centres, with the ethnos thus primarily a religious league with a shared sanctuary and its festival as a national meeting.' For the role of communal cults in the development of *ethne* as federal states, see: Antonetti (1990); McInerney (2001); Corsten (2006); Graninger (2011); Mackil (2013) 147–236.

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eral states within the traditional polis world meant that the former might be perceived as entities comparable to hegemonial symmachies. So it was, for instance, in the case of the Chalkidian *koinon*, described as a συμμαχία both by Xenophon and Diodorus, due to the preeminent role and aggressive behaviour of Olynthos upon the other cities of Thrace and Makedonia.[3] It is worth noting that even though Xenophon in *HG* 5.2.24 speaks about the Chalkidian *koinon* in terms of a hegemonial symmachy, in ibid. 12–19 (speech of Kleigenes of Akanthos to the Spartan authorities), he gives us one of the most significant pieces of evidence about the attractiveness and, at the same time, the danger of federal *sympoliteia* to the polis world.[4] Here Kleigenes recalls the striking novelty of Olynthos' *Machtpolitik*,[5] and focuses on the fact that, in the absence of any military help from the Spartans, the annexation of Akanthos by the Chalkidian *koinon* would have been inevitable.[6] Moreover, Kleigenes calls for the fastest possible help: in fact, once the *poleis* of Thrace are bound together by *epigamia* and *enktesis*—in other words, by federal *politeia*—a military intervention aimed at making them secede would be altogether vain.[7] Summing up, the qualitative leap forward of federal states towards other forms of super-polis organization seems to have been enabled by the presence of a common *politeia*.

In addition to the above aspects, a further reason behind the relevance of this topic in the institutional history of the Greek federal states lies in the fact that the existence of a common *politeia*, superposed to the local *politeiai* of the member states, seems to be the only concrete element differentiating polis and *ethnos* as forms of state.[8] We must note that the expression 'federal state', employed by scholars for describing those political communities the

3 Xen. *HG*. 5.2.25: Ποτείδαιαν ... σύμμαχον ἤδη ἐκείνων (*scil.* of the Olynthians) οὖσαν; see also 5.2.19, where the *poleis* that had joined the Chalkidian *koinon* are compared to the member states of the Peloponnesian League (in this case, the Arcadians). Diod. 15.21.2: τῶν δὲ Ὀλυνθίων μετὰ τῶν συμμάχων. On the relation between *symmachia* and *sympoliteia* in the Classical and Hellenistic ages, see Dreher (2003) 27–38; Buraselis (2003) 39–50.

4 Bearzot (2004) 45–56.

5 Xen. *HG*. 5.2.12: Ὦ ἄνδρες Λακεδαιμόνιοί τε καὶ σύμμαχοι, οἰόμεθα λανθάνει ὑμᾶς πρᾶγμα μέγα φυόμενον ἐν τῇ Ἑλλάδι.

6 Ibid. 14: Ἡμεῖς δέ, ὦ ἄνδρες Λακεδαιμόνιοι, βουλόμεθα μὲν τοῖς πάτριοις νόμοις χρῆσθαι καὶ αὐτοπολῖται εἶναι· εἰ μέντοι μὴ βοηθήσει τις, ἀνάγκη καί ἡμῖν μετ'ἐκείνων γίνεσθαι.

7 Ibid. 18–19: αἱ γὰρ ἄκουσαι τῶν πόλεων τῆς πολιτείας κοινωνοῦσαι, αὗται, ἄν τι ἴδωσιν ἀντίπαλον, ταχὺ ἀποστήσονται· εἰ μέντοι συγκλεισθήσονται ταῖς τε ἐπιγαμίας, καὶ ἐγκτήσεσι παρ' ἀλλήλοις, [...], ἴσως οὐκέθ'ὁμοίως εὔλυτα ἔσται.

8 I have already discussed this matter in Lasagni (2011), esp. 151ff., to which I refer for a wider treatment.

Greeks referred to, alternatively, with the terms *ethnos*, *koinon*, or *sympoliteia* (in rare cases: *systema*), is in many respects misleading. In fact, in strictly institutional terms, one can observe that the differences between *ethnos* / federal state and polis / city-state are mostly imagined. Or, using the words of Kostas Vlassopoulos, 'the distinction between polis and *ethnos* as forms of political and social organization is a mirage of modern scholarship.'[9] In particular, the relationships between local political communities and central government seem to have been shaped in both cases in a comparable way, so that it is possible to state that the Greek *ethne* behaved mainly as unitary states rather than federal states.[10] There can actually be little doubt, I think, that the degree of internal autonomy and external dependency observable, for instance, in an Attic deme or in a polis of the Aetolian *koinon* is altogether comparable. However, the similarity cannot be stretched any further. In Greek federal states, the so-called double citizenship does not find strict correspondences with the polis organizational model: local citizenship was something different from deme or city-tribe affiliation, and its juridical connections with the common citizenship (*sympoliteia*) seem to have been more complex and various than those involving the polis and its civic subdivisions. These are precisely the connections that I am going to investigate in this article, through an analysis of the epigraphic evidence.

1.2 *Methodological Questions*

Before proceeding further, I would like to add some preliminary considerations about methodological matters. As is well known, the Greek world has not provided us with a freestanding political reflection on federal states. Even the locution 'federal state' itself is nothing but an anachronistic label used by modern scholars for indicating a kind of political community for which the Greeks employed a manifold and non-univocal terminology.[11] This state of things has led us rather often to over-systematize such entities, through an anxious search for constants. Systematization may be advantageous insofar as it helps create interpretative tools or conceptual frameworks; however, a similar approach is to be avoided when it ends up forcing the ancient evidence into a normalizing frame. In particular, we may assume that the double *politeia* mechanism has developed gradually, in parallel with the formation of federal institutions

9 Vlassopoulos (2007) 194.

10 Giovannini (1971), Giovannini (2007).

11 In any case, I prefer referring to the Greek federal states as *ethne*, rather then *koina* or even *sympoliteiai* (a use unquestionably non-Greek!), since the word *ethnos was* the only one indicating the state form, thus opposed to the polis as city-state.

themselves. As a consequence, in analysing the epigraphic sources related to federal *politeia*, we should search for peculiarities rather than for general rules, since the relationships between federal government and member states were peculiar, various, and stratified. Therefore, in approaching the question of federal *politeia*, it is important that our exegetic tools are as minimal as possible; it is important, in other words, that we rid ourselves of a number of general definitions that, though widely accepted, are at close sight excessively theoretical and substantially misleading. In particular, I would like to focus on two points, the first pertains to the concept of *sympoliteia*, the second to the relationships between federal government and member states regarding citizenship.

1.3 *Sympoliteia*

In the specialized literature, the notion of *sympoliteia* corresponds mostly to a modern theoretical construct used by scholars more often than is actually needed, both in defining the Greek federal polity as a whole (as *bundesstaatliche Sympolitie*, Szanto), and the federal citizenship (*sympoliteia* as double citizenship, defined by the double *ethnikon* in the 'sympolitic formula', and thus often opposed to *isopoliteia*). In many respects, such a notion is quite distant from the Greek *sympoliteia*, which, at close scrutiny, results in a generic term, devoid of any precise juridical contents.[12] As a consequence, I wonder how methodologically correct it is to refer to συμπολιτεία / συμπολιτεύειν as technical-juridical words to be connected to federal citizenship, even within the construction of a theoretical model of Greek federalism. In this regard, I essentially agree with Adalberto Giovannini, who assumes that the term *sympoliteia* was used in Greek sources to indicate an activity (i.e. the act of sharing a common polity in all its political, military, and religious aspects), rather than a political institution (in our case, the federal state as such with its double citizenship).[13]

Considering the literary evidence, one can first notice that the use of the verb συμπολιτεύω is decisively the most prevalent, whereas, among the classical authors, the corresponding noun συμπολιτεία occurs only (and significantly) in the work of the Achaean historian Polybius.[14] Although Polybius draws upon

12 I agree with Repka (2002), when he wryly observes that *sympoliteia* "is an imprecise term, and as such it is very convenient and widely accepted."

13 Giovannini (1971) 20–24; see also Giovannini (2003) 161–166; Giovannini (2007) 347–356, 365–368, 403–409. For discussion, see Lasagni (2011) 89–91; 189 ff.

14 The only other occurrence of the term in Diod. 29.18.1 is arguably derived from Polybius himself.

the word *sympoliteia* in an extensive and thus self-conscious manner, I believe that, even in this case, it is still not sound to assign to it the value of a *terminus technicus*. In fact, every time Polybius decides to use the expression—for instance—ἡ τῶν Ἀχαιῶν συμπολιτεία, instead of ἡ τῶν Ἀχαιῶν πολιτεία, this is not due to a concrete juridical distinction between the respective contents (either expression refers to the same political entity), but actually to the author's aim to emphasize the nature of the *foedus* of such unions, that is their intrinsic negotiability.[15] For that matter, as an interstate pact, *sympoliteia* seems to have been mostly intended as a sort of unequal agreement by Polybius: a local community can join the *sympoliteia* of an *ethnos* (μετέχω τῆς συμπολιτείας, 2.41, 44; 4.25; 18.2), whereas the latter can hold a polis within its *sympoliteia* (ἔχω ἐν τῇ συμπολιτείας, 21.30). Moreover, it is worth noting that, whenever Polybius aims to emphasize the aspect of political cohesion of a federal state—and not only its nature as a *foedus*—he attaches further adjectives to the word συμπολιτεία, such as κοινή and ἐθνική.[16]

What we have observed about Polybius' treatment of the word *sympoliteia* may find *comparanda* in the epigraphic evidence, where, within a federal context in the strict sense, the use of συμπολιτεύω implies the presence of an interstate arrangement. This can be an arrangement to be enforced in the future, as in the case of the oracular enquiry from Dodona *SGDI* II 1590, or an already existing provision as in the case of the treaty between Demetrius Poliorketes and the Aetolian *koinon* *SEG* 48, 588.[17] It must also be noted that

15 This becomes particularly clear if one considers the occurrences of *sympoliteia* together with the verbs associated with it in Polybius; *sympoliteia* is in fact not only a political union in which to partake (the verb μετέχω is equally associated with *politeia*), but also a kind of interstate treaty (κατάστασις τῆς συμπολιτείας, Polyb. 23.17) that can be agreed to (προσλαμβάνω εἰς τὴν συμπολιτεἰαν, *ibid.*), or abandoned (ἀφίστημι, 3.5), or maintained in force over the years (συντηρέω, 27.2). In this same respect, it is also worth noting that in three different passages Polybius speaks about the presence (or lack thereof) of *stelai* recording agreements of *sympoliteia* (2.41; 23.17; see also 24.8).

16 Such use closely resembles Aristotle's distinction between *politeia* and *koine politeia* in the *Constitutions*; here the adjective κοινή seems to be employed for differentiating a kind of constitution that was customary among a population (*e.g.*, fr. 611 Rose: ἡ Κρητικὴ πολιτεία) from the constitution of a federal state (ἡ κοινὴ Θεσσαλῶν πολιτεία, fr. 498 Rose; Ἀρκάδων, fr. 483 Rose). On federalism in the thought of Aristoteles and Polybius, Lehmann (2001); see also Vimercati (2005) 61–65.

17 *SGDI* 1590 (= Cabanes (1976) n° 21; Lhôthe (2006) n° 9), Dodona 170–68 BC: ἐπερωτῶντι τὸ κοινὸν τῶν [..]|ων Δία Νάον καὶ Διώναν ἦ α[ὐ]|τὶ αὐτοῖς συμπολειτεύουσι | μετὰ Μολοσσῶν ἀσφαλῆ ἦι. *SEG* 48, 588 (= Lefèvre (1998) 109–141), Delphi ca. 289 BC: [Συνθῆκαι βασιλεῖ Δημητρίωι καὶ Αἰτωλοῖς· κυρίαν εἶναι τὴν εἰρήνη]ṿ *v* κα[ὶ] τὴν φιλὶαν *v* βασιλεῖ Δημητρίω[ι] | [καὶ

in both the above-cited inscriptions, *sympoliteia* appears to have taken the form of an unequal agreement between minor local communities and major *ethne* organized as federal states (respectively, the Molossian *koinon* and the Aetolian *koinon*). Moreover, neither inscription allows us to infer that the relation between the communities involved in the agreement was based on the acknowledgment of full citizenship rights within a federal *politeia*. The evidence provided by the oracular enquiry *SGDI* 1590 is indeed rather meagre, considering that the name of the minor *koinon* is restored in *lacuna*, and that the text itself is no official public document. As for *SEG* 48, 588, we must first note that, besides drawing a parallel between "Demetrius and his *symmachoi*", and "the Aetolians and their *sympoliteuomenoi*" in ll. 15–16, the treaty's text cites king Demetrius alone, and keeps the Aetolians separated from their *sympoliteuomenoi* in the clause prohibiting the agreeing parties from concluding any sort of alliance with subjects hostile to the other party (ll. 23–24). As a consequence, we may infer that the *sympoliteuomenoi* not only did not enjoy full citizenship rights (otherwise they would have been named simply as 'Aetolians'), but they were also capable of independent actions of foreign policy. For these reasons, it could be more plausible that the *sympoliteuomenoi* in *SEG* 48, 588 were not local communities, members of the Aetolian federal state—as the first editor Lefèvre maintained[18]—but rather Aetolia's allies, who were bonded with the Aetolian *ethnos* by virtue of a grant of *isopoliteia*.[19]

On the basis of these observations, it seems to me reasonable to conclude that, with reference to federal states, the verb συμπολιτεύω and the deverbal noun συμπολιτεία were used by the ancient sources for emphasizing the presence of an 'interstate' agreement that included not only a relation of friendship and alliance, but also the acknowledgment of *some* civil and political rights common to all the parties. Nonetheless, beyond that, it is not possible

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τοῖς συμμάχοις αὐτοῦ καὶ Αἰτωλοῖς καὶ τοῖς συμπολιτευομένοις με]τ' Αἰτωλῶν ἔτη πέντε (for the restoration on l. 16, see l. 23).

18 Lefèvre (1998) 124 ('Les συμπολιτευομένοι ne peuvent désigner que les populations intégrées au *koinon* étolien.'). On the institute of *isopoliteia* in general, see the forthcoming monograph of S. Saba, *Isopolity in the Hellenistic Time*, which updates Gawantka's work, challenging some of his conclusions of this subject.

19 See, for comparison, the treaty between Aetolia and Akarnania *IG* IX.1² 3A (262 BC), whose text is titled συνθήκα καὶ συμμαχία Αἰτωλοῖς καὶ Ἀκαρνάνοις (ll. 1–2), and includes a mutual grant of *epigamia*, *enktesis*, and *isopoliteia* (ll. 11–13): εἶμεν δὲ καὶ ἐπιγαμίαν ποτ' ἀλλάλους καὶ γ|ᾶς ἔγκτησιν τῶι τε Αἰτωλῶι ἐν Ἀκαρνανίαι καὶ τῶι Ἀκαρνᾶνι ἐν Αἰτωλίαι καὶ πολίταν εἶμε|ν τὸν Αἰτωλὸν ἐν Ἀκαρνανίαι καὶ τὸν Ἀκαρνᾶνα ἐν ⟨Α⟩ἰτωλίαι ἴσογ καὶ ὅμοιον.

to attribute to *sympoliteia* any more technical valence than that. It was not provided with technical-juridical content, and thus did not express in ancient documents either the constitution of a federal state as such, or its double-level citizenship.

Regarding this latter point, we must return for a while to Polybius, who, as it has already been noticed by Walbank, 'generally chose to neglect *isopoliteia* and to include examples of it under the more general term *sympoliteia*'.[20] Actually, I do not think that this shows that the two terms, *sympoliteia* and *isopoliteia*, were to some extent interchangeable. The difference in their meaning was quite possibly a slight one, but nonetheless sufficient to justify Polybius' choice. The notion of *sympoliteia* expresses a type of relationship between political communities; generally speaking, it was a συμμαχικὴ καὶ φιλικὴ κοινωνία πραγμάτων (so Polyb. 2.37 on Achaean *koinon*) involving matters of civil and political rights. *Isopoliteia* was instead a right to be granted; it occurs in inscriptions as a technical term indicating a bestowing of 'potential citizenship'. When *isopoliteia* is given to individuals, it corresponds to an honorary bestowal of civic rights; when it is mutually acknowledged by state communities, it amounts to an interstate agreement. The sole occurrence of the word *isopoliteia* in Polybius' *Histories* is perfectly in line with this frame: in fact, in a passage related to the events of the Cretan War, it is told that the Athenians had passed an honorific decree for the Rhodians, awarding hem the crown for valour and the grant of *isopoliteia*.[21] If Polybius had wanted to describe the kind of relationship established between Athens and Rhodes by that decree, he probably would have used the word *sympoliteia*, as in other similar cases.

1.4 *Federal Government and Member States*

The second field of investigation, in which a less theoretical and more empirical approach is required, pertains to the respective prerogatives of the federal state and of its member communities within the institutional mechanism of the double *politeia*.

It must first be considered that the Greek *ethne*, being sorts of 'federal states', were by their very nature characterized by a sovereignty shared between the central government of the *ethnos* and the federated local communities, and, more particularly, that this arrangement must have also involved issues related

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20 Walbank (1976–1977) 33.

21 Polyb. 16.26 (= Cost. VII Porph. *De Legat.* 39.15): ἀπεδέξαντο (*scil.* the Athenians) δὲ καὶ τοὺς Ῥοδίους μεγαλομερῶς καὶ τόν τε δῆμον ἐστεφάνωσαν ἀριστείων στεφάνῳ καὶ πᾶσι Ῥοδίοις ἰσοπολιτείαν ἐψηφίσαντο.

to the granting of citizenship. How so? If we think in strictly abstract terms, we can make the following statements of general import: 1) an *ethnos* does not grant its federal *politeia* to individuals belonging to one-member *poleis*—this would be illogical, since the enjoyment of local citizenship rights is the necessary and sufficient condition for the enjoyment of federal citizenship rights; 2) conversely, an *ethnos* cannot bestow upon foreigners the *politeia* of a member polis, since such a provision would amount to an illicit interference in the internal sovereignty of the federated communities; 3) an *ethnos*, in conclusion, can exclusively grant federal citizenship rights to individuals (or communities) outside the federal state; 4) a member polis can confer to foreigners neither the federal *politeia* nor its own local *politeia*; in both cases, in fact, individuals external to the *ethnos* would become federal citizens bypassing the central government's approval; 5) within the limits of its sovereignty, a polis member of a federal state can only bestow its *politeia* upon citizens of other federated *poleis*.

Such a scheme is provided with its own internal logic, based on the idea that the Greek federal states were characterized by a clear division of powers between their central and local levels. Nonetheless, as we shall see below, the reality of the political practice emerging from epigraphical evidence is much more varied and complex than the rules sketched above. In other words, shifting from the field of federal theory to the analysis of ancient public inscriptions, the 'spheres of sovereignty' model and the 'double citizenship' model do not overlap as consistently as one might expect.

I hope that what has been said here shows how a descriptive and not-prescriptive approach is indeed the most effective way to analyse the problem of citizenship in Greek *ethne*. Some of the most widely accepted theoretical models that have been formulated by modern scholars to explain the puzzling problem of Greek federalism (the notion of *sympoliteia* as *bundesstaatliche Sympolitie*, whereby sovereignty is shared between the *ethnos* and its member states, and the issue of double *politeia*) should be abandoned, or at least left apart, in favour of a more document-rooted and empiricist approach. In my opinion, we should stick to only two points with regard to federal *politeia*: these two permanent features represent nonetheless a sufficiently solid ground (or a sufficiently accurate and useful exegetic tool) for comprehending the phenomenon of *politeia* in Greek federal states in its different contexts.

1. The first point pertains to what can be defined as the *content* of federal *politeia*. In this respect, it is possible to observe that the Greek federal citizenship can actually, as it were, be broken down into the following elements: a) common civil rights, viz. *epigamia* and *enktesis*; b) *isopoliteia* or potential

citizenship; and c) local *politeia*, which entailed the full enjoyment of federal political rights.

2. The second point pertains to the *institutional mechanism* of federal *politeia*. To be *polites* of a federal state (e.g. Αἰτωλός), it was strictly necessary to be a citizen of one of its member *poleis* (e.g. Καλλιπολίτας); in fact, member states represented the basic institutional interface, linking the individual citizens to the central government of an *ethnos*, in the same way as the deme affiliation was the primal requisite for being an Athenian citizen.[22] Hence it follows that, whenever a federal state passed a decree granting citizenship rights, these were bestowed in the form of an *isopoliteia* (or potential citizenship) that could eventually be implemented through permanent residence in one of the member *poleis*, and the acquisition of a local *politeia*.[23]

In reference to the above statements, I wonder if the concept of 'double *politeia*' can also be interpreted differently from what is normally done.[24] On one side, as is well known, the double *politeia* consists of simultaneous membership in two state communities, i.e. in the federal state as a whole (Αἰτωλός) and in one of its member states (Ναυπάκτιος). It therefore corresponds to the full enjoyment of citizenship rights. On the other, it seems possible to

22 The most striking evidence for this is probably the inscription *IG* IX.1² 188 (= Ager [1996] n° 56 = Magnetto [1997] n° 55, 213/2 BC), an arbitration, supervised by the Aetolian *koinon*, between two member *poleis*, Melitaia and Pereia (in Achaea Phthiotis), which were involved in a common agreement of *sympoliteia*. The text shows at ll. 16–21 that the rights and duties within the Aetolian federation were shared proportionally among all members, no matter how small: in case of a split (εἰ δέ κα ἀποπολιτεύωντι Πηρεῖς ἀπὸ Μελ[ι]ταέων), the Pereians would have retained one representative (ἔχοντες … βουλευτὰν ἕνα), and would have paid their debts and federal taxes in proportion to that one (καὶ τὰ δάνεια συναπο|τινόντω, ὅσα κα ἁ πόλις ὀφείλῃ, κατὰ τὸ ἐπιβάλλον μέρος |τοῦ βουλευτᾶ καὶ ἐμφερόντω τὰ ἐ[ν] τοὺς Αἰτωλοὺς γινόμε|να κατὰ τὸν βουλευτάν).

23 As is well known, according to Louis Robert and Philippe Gauthier, every grant of *politeia* attested in honorific decrees was in reality a grant of potential citizenship; in other words, the *politeia* remained a purely honorific attribute, unless made effective by residing in the hosting state and by being inscribed in its civic subdivisions. Actually, this is not exactly the same as in federal states, where the 'isopolitic features' of *politeia* can be understood in a slightly different way. In their case, it is in fact possible to hypothesize three different stages of citizenship: 1. a pure potential and honorific citizenship; 2. a lower level citizenship, enacted by residence in the federal territory; 3. full citizenship, obtained through the acquisition of a local *politeia* (on points 2 and 3, see further in the text).

24 On the concept of double *politeia* in federal states, see Larsen (1953) 809–810; Beck (1997) 55–56, 174–175; Freitag (2009) 17–18; Rizakis (2012) 23–38.

hypothesize the existence of a twofold degree of *politeia*: besides a first-degree citizenship—that was enjoyed by the citizens of the member states, and that enabled them to participate in the political life of the *ethnos* both at the central and the local level—there may have also been a lower-degree citizenship that granted some basic civil rights, such as *epigamia* and *enktesis*, within a status of *isopoliteia*. This may have entailed the possibility of acquiring citizenship rights in any member states.

We can suppose that this secondary degree of citizenship, in its turn, affected two typologies of individuals: those who were citizens of the *ethnos*, but were residing in a member polis different from the one to which they belonged, and those who came from outside the *ethnos*, but were living within the federal territory in a status of *isopoliteia*. As citizens of the European Union, we are all well acquainted with such a multi-levelled notion of citizenship: we know, for instance, that a European citizen living in a member state different from his own is endowed only with a non-full citizenship status (in fact, he or she is a resident alien). In this same respect, we can recall the evidence provided by a list of casualties from Epidauros (146 BC), whose text lists two groups of individuals separately, according to their political status: the Epidaurians on one side, arranged by their three Doric tribes, and a group made of Achaeans and *synoikoi* (Ἀχαιοὶ καὶ σύνοικοι, l. 59) on the other side.[25] According to Larsen, this evidence would disprove the idea, at least for the Achaean context, 'that the citizens possessed something like *isopoliteia* in all cities of their confederacy so that they were able to move from one city to another and assume local citizenship by registering in their new home.'[26] The Epidaurian inscription, nonetheless, does not force us to rule out the possibility, as it were, of a 'political mobility' of federal citizens. Indeed, it proves that the acquisition of a local *politeia* was not as automatic as usually intended. We can suppose that the grant of local citizenship always required *ad hoc* decrees to be passed at a local level.

It is worth noting that the distinction between soldiers who were citizens of Epidauros and those who were not was a matter of exclusive interest for the Epidaurians, as they lumped together their fellow federal citizens and the *synoikoi* in the second half of the list of casualties. In fact, if we shift from a local to a central level, we shall find a different kind of categorization. In a number of treaties of *philia* or *symmachia* passed by the Aetolian *koinon*, in the context of clauses granting mutual safety between the parts,

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25 *IG* IV^2.1 28, see comments in Larsen (1971) 83–84; Rizakis (2012) 37.

26 Larsen (1971) 83.

the couple μηθεῖς Αἰτωλῶν μηδὲ τῶν ἐν Αἰτωλίαι πολιτευόντων is attested. This expression clearly distinguishes federal citizens, οἱ Αἰτωλοί, from those who, coming from outside, resided within the Aetolian territory where they possessed a lower degree of citizenship. In this case, the distinction between these two groups of individuals was a matter of interest to the Aetolian federal state.[27]

2 Part II—The Evidence: Inscriptions as a Source for the Praxis of Citizenship in Greek Federal States

The second part of this article collects a number of epigraphic examples that are particularly significant for describing recurring patterns and exceptions to the rules described above regarding federal citizenship, without aiming at exhaustiveness.

2.1 Koinon *of the Achaeans, Dyme:* Polis *Decree Regulating the Enrolment of New Citizens, Third Century BC*

This decree sets up the rules for the bestowal of citizenship upon a specific group of individuals, defined as *epoikoi* (i.e. people who were living in the polis of Dyme: [ἐπὶ τ]οῖσδε εἶμεν τὰν πολιτ[είαν] τοῖς ἐποί[κοις ----- ἐν τᾶι π]όλι, ll. 1–2).[28] Any of the *epoikoi* (of free status and the son of free parents) who wanted to obtain the citizenship of Dyme could get it through the payment of a sum of money (ll. 3–8). Therefore, we are not dealing here with a grant of *politeia* for honorific purposes, but with the sale of local citizenship rights, whose precise amount, lost in lacuna, should have been quite relevant indeed, since it was split into two instalments.[29] The following text (ll. 8–25) provides some regulations concerning the extension of citizenship rights to underage offspring and unmarried daughters, and the request for *politeia* by widows. Finally, the last part of the inscribed text (ll. 25 ff.) contains provisions dealing with the admission of new citizens to the civic body of Dyme and the actions accompanying their official membership (registration, oath, payment of fees, tribal affiliation, etc.).

The text of the decree contains references to the Achaean *koinon*: the first two mentions concern the official chronology and calendar of the federal state

27 Freitag (2012) 92 (see here below, *Part* II.3).
28 Rizakis, *Achaïe* III n° 3, ll. 1–2.
29 On the sale of citizenship in the epigraphical evidence from Dyme, see Saba (2010) 402–404.

(Achaean *grammateus* as eponymous official, l. 4; Achaean months, l. 6);[30] the third one was much more significant, but it is very controversial:

> [καὶ κοινω]νεόντω θεοκολιᾶν, ἆν ἁ πόλις καθιστᾶι ẹ̄ν
> [τᾶι φυλᾶι τᾶι] ẹ̄αυτῶν, καὶ ἀρχείων τῶν τε εἰς τὸ Κοινὸν
> [καὶ τὰν πόλιν ....c.7 ...]ας τάς τ̣ẹ εἰς τὸ Κοινὸν ΚΑΙΓ¯[.]

It must be observed at the outset that the limestone stele, now lost, was extremely poorly preserved at its discovery, and it became even more effaced over the course of time. As a consequence, the edition of Rizakis (whose ll. 32–34 are quoted above) is necessarily based on Martha's diplomatic transcription of 1878 (from a squeeze and an apograph), without a direct examination of the stone.[31] According to the editor, the last lines of the decree dealt with rights and, possibly, the fiscal obligations of new citizens. The latter were allowed to hold both religious roles, according to their tribal affiliation, and political offices at either the local or federal level: εἰς τὸ Κοινὸν καὶ τὰν πόλιν, according to Rizakis' restoration.[32] Based on his reading, the decree from Dyme has thus become an exemplary case study for double *politeia*.[33] In the 1990 edition of the Dyme decree, Rizakis wrote: 'les restitutions de la dernière ligne du texte étant douteuses nous éviterons de faire un commentaire'.[34] At a later stage, however, he confirmed the earlier hypothesis, suggesting a full restoration of the last line:

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30 The fragmentary text in ll. 3–4 (δόντα [– – – – ἐπὶ γρα]μματέος τοῖς Ἀχαιοῖς Μενανδρίδα) is generally misinterpreted as a reference to the fact that the payment should have been submitted to the Achaean secretary (so Mackil [2013] 261; more nuanced Rizakis [1990] 112, 122). But Ockham's razor, I think, rather suggests that we are dealing with an eponymous formula; such reading is confirmed by the second reference to the Achaean *grammateus* Menandridas on l. 9: εἰ δὲ μὴ δοίη | [τὸ ὅλον ἐν τῶι ἐνι]αυτῶι τῶι ἐπὶ Μενανδρίδα, ἀλλὰ | [καθυστερίζοι], μὴ ἔστω αὐτῶι ἁ πολιτεία (ll. 8–10). The general sense is thus as follows: the sale of citizenship of Dyme was not a permanent provision, but was established for the current year (ll. 3–4); moreover, the entire sum had to be paid within the same year; otherwise, the purchaser would have been debarred from the grant of citizenship (ll. 8–10).

31 Rizakis (1990) 110–123; slight revisions in Rizakis, *Achaïe* III n° 3 (see further). *Ed. princ.* Martha (1878) 94–96 n° 2; for further references about the inscription's history and editions, see also Bingen (1954) 86–87; Mackil (2013) 455–458.

32 Rizakis (1990) 123.

33 See Mackil (2013) 387–388, with the discussion here below.

34 Rizakis (1990) 123.

> L'acquisition de l'identité fédérale donnait au bénéficiaire des droits et des devoirs aussi bien dans le cadre de sa cité particulière que dans celui du *koinon*. Ce principe est illustré dans un décret dyméen, attribuant le droit de cité local à des étrangères: [I will came back to this point later] 'qu'ils participent (i.e. les nouveaux citoyens) aux magistratures religieuses qui la cité établit dans le cadre de leur tribu et aux magistratures civiles concernant la confédération et la cité et qu'ils participent également aux taxes et aux impositions concernant aussi bien le *koinon* etc.'.[35]

I shall challenge the now-canonical interpretation by pointing at two key features, the first related to the *epoikoi*, the second to the use of the term κοινόν in ll. 33 and 34. As for the former, I wonder if we can be confident enough to claim that 'the *epoikoi* referred to in this decree were certainly non-Achaeans'.[36] In fact, I believe that this statement is not sufficiently buttressed by the evidence. No positive clues exist that these 'supplementary settlers', whose sole prerequisite was to be of a free condition, were in fact coming from outside the Achaean federation, and not simply from outside the polis of Dyme, which seems preferable. One might suppose that we are dealing here with individuals who were already deeply integrated into the Dymaean community, along with their wives and offspring. Nothing prevents us from surmising that they were already endowed with isopolitic status and with specific economic rights (*enktesis*). Moreover, they were able to pay money to become citizens of Dyme. In all probability, the real issue at stake, in this respect, was not to became eligible for religious and political offices (this does not seem to have been the main interest for widows), but to be provided with full juridical guarantees for themselves, their families, and their properties, like every other *politai* of Dyme. Actually, I cannot see the reason why the Dyme decree, which had the effect of considerably increasing the revenues of the polis for the current year, should have been applied only to non-Achaean residents, while excluding fellow federal citizens. Moreover, it is definitely not possible to ascertain the precise nature of the Dymaean *epoikoi*. Nonetheless, it seems plausible to put forth the hypothesis that their group was largely composed of Achaean citizens, coming from

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35 Rizakis (2012) 33 and n. 58: [καὶ κοινω]νεόντω θεοκολιᾶν, ἃν ἁ πόλις καθιστᾶι | [ἐν τᾶι φυλᾶι τᾶι] ἑαυτῶν, καὶ ἀρχείων τῶν τε εἰς τὸ κοινὸν | [καὶ τὰν πόλιν φόρον καὶ τὰς εἰσφορ]ὰς τάς [τε] εἰς τὸ κοινὸν κα⟨γ⟩γ[ραφάς]. I am yet afraid that the supplement in the first part of l. 34 is extremely dubious, since the restored text clearly exceeds the foreseeable width of the lacuna.

36 Mackil (2013) 262.

other member *poleis*, and, secondly, of possible resident aliens, bestowed of some basic rights in the Achaean territory.[37]

Let us mention a further point. I believe that the supposed reference to the Achaean federal state—identified in the occurrences of the term κοινόν in ll. 33 and 34, and in the arguably dubious restoration [καὶ τὰν πόλιν] in l. 34—results from a biased reading of the inscription, itself a product of modern concepts about Greek federalism. In fact, the last fragmentary lines of the Dyme decree have been interpreted in the light of the 'double citizenship' model, and they have become exemplar evidence for the 'vertical diversion of powers' (Beck) in Greek federal states: though in fact, this might not be the preferable solution. Its main weakness lies in the interpretation of the word κοινόν. Modern scholars, as a matter of fact, often use *koinon* (and *koina*) as a term indicating the Greek federal state as such. However, this usage does not conform with that found in Greek public documents, where τὸ κοινόν—when it pertains to federations in the sense of 'state community' or 'government'—does not occur if not accompanied by the genitive plural of the *ethnos* concerned (i.e. τῶν Ἀχαιῶν, τῶν Αἰτωλῶν, τῶν Βοιωτῶν, etc.). An expression such as 'εἰς τὸ Κοινὸν καὶ τὰν πόλιν' has no strict parallel in inscriptions, and it raises all sorts of doubts.[38] To the best of my knowledge, the only comparable evidence comes from two honorific decrees of the Thessalian *koinon*, *SEG* 51, 723 and *SEG* 26, 688, which give the following formulary expression: ἐν τῶι κοινῶι καὶ ἐν ἑκάστηι πόλει.[39]

However, the overall context of those documents is quite different from the decree of Dyme. The main difference lies in the fact that the former were, as said above, decrees issued by the Thessalian federal state. They ensured that the honourands would be regarded as *euergetes* by the federal state and by each member polis. This may find parallels in several decrees of the Thessalian *koinon*, where the clause about the conferral of federal citizenship is coupled with the formula ἐμ πάσαις ταῖς ἐν Θεσσαλίαι / κατὰ Θεσσαλίαν πόλεσιν. Further-

37 This evidence seems coherent with the preceding remarks on the Naupaktian casualty list *IG* IV^2.1 28, where Achaeans and *synoikoi* were gathered together under a joint title. On the *epoikoi* of Dyme decree, see discussion in Rizakis (1990) 112; Mackil (2013) 261.

38 See, for comparison, Peek, *Asklepieion* n° 80 (ca. 182 BC): ἁ πόλις τῶν Ἐπιδαυρίων Ἀριστόδαμον Νικοκ̣ράτο[υς] ἀρετᾶς ἕνεκεν καὶ εὐνοίας, ἅν ἔχων διατελεῖ | εἴς τε τὰν πόλιν (*scil.* τῶν Ἐπιδαυρίων) καὶ εἰς τὸ κοινὸν τῶ̣ν̣ [Ἀ]χαιῶ[ν].

39 *SEG* 51, 723 = Helly (2001) 265–266 (second century BC), ll. 4–5: μετέχειν δὲ αὐτοὺς [τῶν] | ἐν [τῶι κοινῶι] καὶ ⟨ἐν ἑκάσ⟩τηι πόλει [τιμίων]. *SEG* 26, 688 = Habicht (1976) (= Habicht [2006] 124–133, ca. 179–65 BC), ll. 15–18: καὶ εἶναι αὐτοὺς [προ|ξένου]ς τοῦ κοινοῦ Θεσσαλῶν καὶ ὑπάρχ[ειν | ὅσα καὶ] τοῖς ἄλλοις εὐεργέταις τίμια καὶ ἐ[ν | τῶι κ]οινῶι καὶ ἐν ἑκάστηι πόλει.

more, one of those inscriptions mentioned above contains provisions about the proclamation of the crown in each Thessalian polis.[40] Finally, it is worth noting that, in the formula ἐν τῶι κοινῶι καὶ ἐν ἑκάστηι πόλει, the opposition seems to lie between the adjectives κοινός and ἕκαστος rather than between τὸ κοινόν and ἡ πόλις. In *SEG* 51, 723 and *SEG* 26, 688 the Thessalian federal state exerts its authority over the member cities, demanding that the honours bestowed by the central political power be acknowledged and approved in each polis. This provision can be seen as a further guarantee for the honourands. Conversely, the reason why the decree from Dyme should have mentioned the dispatch of representatives and fiscal contributions to the Achaean *koinon* does not seem equally clear, since this matter falls outside the domain of the polis' internal sovereignty, and belongs eminently to the sympolitic relationship between the member *poleis* and the Achaean federal state.

Rizakis' interpretation seems rather problematic. It is not necessary to read the occurrences of κοινόν in the Dyme decree as a reference to the Achaean federal state. This term can easily refer to the polis of Dyme, i.e. to the political community and to the full set of polis institutions, into which the new citizens would have been admitted. As a consequence, it seems preferable to think that the Dyme decree was referring to τὸ κοινὸν τᾶς πόλεως (i.e. the political community of the Dymaeans), rather than τὸ Κοινὸν καὶ τὰν πόλιν (i.e. the federal and the local level).[41] Given the impossibility of ascertaining Martha's reading of the last lines preserved on the stele, I shall refrain from suggesting here any restorations. Nonetheless, I believe that the interpretation of *koinon* in ll. 33 and 34 as a term referring to the city's government is preferable. In fact, besides finding parallels in epigraphic documents, this interpretation does not run into contradictions with the division of powers between the federal state and the member *poleis*. Moreover, it does not necessarily rule out the possibility that the *epoikoi* who obtained Dymaean citizenship might have been Achaeans as well.

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40 *SEG* 51, 723, ll. 5–7: ἀνακηρυχθῆ|ναι δὲ τὸν στέφανον ἐμ πάσαις ταῖς | κατὰ Θεσσαλίαν πόλεσιν.

41 See, for parallels, *IG* IX.1[2] 460, 461a, 461b, *BCH* 59, 1935: 37 face A (from Krannon, attesting the formulas ἔδοξε τοῦ κοινοῦ τᾶς πόλιος and εὐεργετὲς τὸ κοινὸν τᾶς πόλιος); references to τὸ κοινὸν τᾶς πόλεως occur, significantly, in the oath of Alexander's *diagramma* for the Tegean exiles (*Syll.*[3] 306, 324 BC, see l. 62); compare also the oath in the *sympoliteia* treaty between Smyrna and Magnesia on Sipylos (McCabe, *Smyrna* n° 14, 245–3 BC?, see ll. 77–78: καὶ μετουσίαν αὐτοῖς δώσω τῶν τε ἀρχείων καὶ τῶν ἄ[λλων] | τῶν κοινῶν τῆς πόλεως, ὧν καὶ οἱ ἄλλοι πολῖται μετέχουσιν).

2.2 Koinon *of the Achaeans, Epidauros: Agreement between the Epidaurians and the Achaeans (Epidauros Joins the Achaean* Koinon*), 243 BC*

With this second example, we are dealing again with an extremely fragmentary inscription, whose general content can only be sketched out in broad terms, but whose surviving text nonetheless provides us with some interesting clues.[42] This stele, of which two non-joining fragments on the left edge are today preserved, must have originally contained an agreement (*homologia*) between the Achaeans and the city of Epidauros, regulating the voluntary joining of the latter to the Achaean federal state.[43] Since Epidauros became a member of the Achaean *koinon*, and the Epidaurians were thus integrated into the Achaean *politeia*, it is possible to say that the Epidaurians drew up a pact of *sympoliteia* with the Achaeans, or, better, using the words of Polybius, that they προσελήφθησαν εἰς τὴν τῶν Ἀχαιῶν συμπολιτείαν. This remark, nonetheless, must not lead us to do what Peek did in his 1969 re-publication of the Epidaurian inscription, that is to say, to use our modern notion of *sympoliteia* when restoring an ancient epigraphic text. In *Inschriften aus dem Asklepieion von Epidauros* n° 25, Peek suggested the following restoration, which would have been rightly rejected by the later editors: ἀγαθᾶι τύχαι. [ἐ]πὶ τοῖσδε [ἐπόησ]αν? [ὁμολογίαν τοὶ Ἀχαιοὶ καὶ τοὶ Ἐπιδαύριοι· συμπολιτείαν εἶμεν τοῖς Ἐπιδαυ]|ρίοις καὶ τοῖς Ἀχαιοῖς ἐψαφίσ[θ]α[ι -----------] (lines 1–2). Such a formula containing the term συμπολιτεία does not find any exact correspondence in inscriptions, in particular in those dealing with a federal context. Moreover, the same epigraphic document attests the deverbal noun deriving from συμπολιτεύω through the wholly unusual form συμπολίτευσις.[44] This epigraphic *hapax* makes even less acceptable the restoration of a variant συμπολιτεία in the sanction clause, all the while stressing how non-strictly technical and quasi extemporaneous the use of the notion of common citizenship in the inscriptions of the Greek federal states was. But what

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42 *IG* IV^2.1 70 (= *SEG* 11, 401 [Mitsos (1937) 708–714] = *Staatsvertr.* III.489) + *IG* IV^2.1 59; the two fragments were joined by Peek, *Asklepieion* n° 25 (Ager [1996] n° 38.I; Magnetto [1997] n° 36.I, on ll. 1–24; Mackil [2013] 459–461 T37). See Freitag (2012) 87.

43 According to Mitsos (1937) 708–714, followed by the later scholars. The agreement, in its turn, may have been ratified by a decree of the Achaean *koinon*, see for comparison *IG* V.2 334 = *Syll.*^{3} 490 (Orchomenos' entrance into the Achaean *koinon*, 235–229 BC), ll. 8–10: ὀ̣[μ]νύω Δία Ἀμάριον, Ἀθάναν Ἀμαρίαν, Ἀφρ̣[οδ]ί̣τ̣α̣[ν καὶ τοὺ]ς θ[εοὺς πάντας, ἦ μὴν ἐν] | π̣ᾶσι̣ν̣ ἐμμε[ν]ε̣ῖν ἐν τᾶι στάλαι καὶ τᾶι ὁμολογίαι καὶ τῶι ψαφίσματι [τῶι γεγονότι τῶι | κοι]ν[ῶι] τῶι τ[ῶ]ν Ἀχαιῶν. On the integration of new member states into the Achaean federation, see Rizakis (2008), 274–278; Freitag (2012) 86–88.

44 Peek, *Asklepieion* n° 25 ll. 38–39.

is the precise context in which ἡ συμπολίτευσις is used? The term belongs to the second fragment of the stele (ll. 27–41). This was originally published as a separate entry by Hiller (*IG* IV^2.1 59), and it was successively attached with *IG* IV^2.1 70 by Peek (see above). Whereas the lines 1–26 of the stele deal with the relationships between Epidauros and the Achaean *koinon*, regulating the rights and duties of the new member polis within the federal state, the text of the second fragment concerns a different class of subjects. I reproduce below, for the reader's ease, ll. 27–42 of Peek's edition:

[....9....]δε[--]
[..6...]ι?αν ἐν Ἐπιδαύρωι [--]
[...]ει καὶ ὑπέχετ̣[αι ---]
[..]α̣ καὶ ἁ γενεὰ αὐ̣[--]
κὰτ ταὐτὰ ποιείτω [-------------------------- εἰ δέ κα ---εἰς]
Ἐπίδαυρον γαμῆται, δ[--]
τῶν ἐν Ἀχαιίαι συναλ[λαγμάτων --- κὰτ]
τοὺς τᾶς πόλιος νόμους [--τῶν]
συναλλαγμάτων ἁ κὰτ τ[-- ὤι]-
κησε ἐν Ἐπιδαύρωι, ὕστε[ρον δὲ --]
ἐν τᾶι βουλᾶι τῶν Ἐπιδα[υρίων --- τὰν]
μὲν συμπολίτευσιν μὴ σ[υγχωρῆσαι --εἴ κα ἐμ]-
πολιτεύσηται κατὰ χρέος [---]
[..]ε̣ι ἕ̣στε κα παύσητ[α]ι [---]
[---]

It is worth noting that the general context, although extremely fragmentary, seems to have had many points of contact with what we have observed about the decree of Dyme. In fact, it is possible to assume that this part of the stele contained some provisions concerning the other Achaeans who would eventually come to live in Epidauros. This hypothesis can find support in a parallel piece of evidence, viz. the agreement for the entrance of Arkadian Orchomenos into the Achaean federation,[45] which includes the following provision (ll. 11–13): τῶν δὲ λαβόντων ἐν Ὀρ[χο|μενῶι] κλᾶρον ἢ οἰκίαν, ἀφ' οὗ Ἀχαιοὶ ἐγένοντο, μὴ ἐξέστω μηθενὶ ἀπαλλοτριῶ|[σα]ι ἐτέων εἴκοσι. That is to say: everyone who, by virtue of having gotten the Achaean federal *politeia*, buys an estate or a house in Orchomenos (the latter, in its turn, now a member of the Achaean *koinon*) is bound not to alienate it before twenty years have elapsed. It is easy to understand that, when a new member polis was entering into the federal state, a major goal of the Achaeans was to safeguard the general cohesion of their union and the enduring loyalty of all their members through ensuring the mobility of the federal citizens within the integrated territories. Therefore, it is not surprising that the agreement from Epidauros also included some provisions regarding the Achaeans who would come to live in the city.

In l. 28 the surviving text refers to something (in the accusative case) that was 'in Epidauros'. I wonder if an expression such as [γᾶν? / κλᾶρον? ἢ οἰκ]ι?αν ἐν Ἐπιδαύρωι could be hypothesized here, on the base of the Orchomenos inscription IG V.2 334, ll. 11–13. The verb ὑπέχω in the following line (the present imperative ὑπέχετ̣[ω -----] seems to me preferable to the mid-passive indicative ὑπέχετ̣[αι -----], see l. 31: ποιείτω) could belong to a legal context, maybe to the clauses regarding a sort of judiciary convention between the federal state and the polis that granted legal protection for the rights to ownership, or it could give procedural rules for disputes over property rights between the Achaean settlers and citizens of Epidauros. In particular, ὑπέχω might have referred to someone liable to be arraigned, tried, or punished (ὑπέχω δίκαν) for some kind of noncompliance. The expression κὰτ ταὐτὰ ποιείτω in l. 31 could imply a clause of reciprocity in the law, which is a proper element of a judicial agreement. The otherwise unknown conditions set up here were extended to the descendants of the persons concerned (l. 30). This detail, reminiscent of some aspects of the decree of Dyme, may reinforce the hypothesis that this paragraph concerned the right of the Achaeans to *enktesis*.

45 IG V.2 334 = *Syll.*^{3} 490 = *IPArk* n°16 (Ager [1996] n° 43; Mackil [2013] 462–466 n° 39), see above, n. 43.

The other basic right of the federal *politeia*, the *epigamia*, is evoked in line 32 by the verb γαμῆται, and it goes without saying that the union referred to here was more precisely an intermarriage between Epidaurian and Achaean individuals. The passive diathesis of the verb tells us that this line dealt with women's status. Perhaps, provisions about widows (see, again, the decree from Dyme) and their properties can be hypothesized here with a certain degree of credibility. The following lines concerned the stipulation of contracts (συναλλάγματα), of which the decree probably specified the normative framework and the competent court in case of controversies. Since in line 33 contracts 'in Achaea' are mentioned, whereas in the two following lines the surviving text refers respectively to 'the laws of the polis' and to a second kind of contracts, it is possible to hypothesize that the decree distinguished between transactions to be concluded on the basis of local regulations and transactions to be concluded on the basis of federal regulations. The words [----- ὤι]κησε ἐν Ἐπιδαύρωι, ὕστε[ρον δὲ -----] may suggest the presence of a clause, whose content was analogous to that in the Orchomenos inscription *IG* V.2 334 (ll. 11–13). The settlers were bound to live in Epidauros (οἰκέω ἐν Ἐπιδαύρωι) until a certain number of years had elapsed. Thereafter (ὕστερον δὲ), certain matters related to the settlers' status in Epidauros should have been submitted to the polis' approval (ἐν τᾶι βουλᾶι τῶν Ἐπιδα[υρίων -----]). The case of a lack of approval seems to be envisaged in line 38, whereas the following line might deal with the possibility of being integrated into the Epidaurian *politeia* (ἐμπολιτεύω, or else πολιτεύω) with a fee (κατὰ χρέος). This detail is very interesting, since it presents again the issue of the sale of local citizenship to fellow federal citizens, like the one we observed in the decree from Dyme. As for the last sentence, ἔστε κα παύσηται ('until he would stop doing sth.'?), we cannot find any satisfying explanation. The possible interpretation suggested by Hiller in the footnotes ('*videtur homo aliquid peccasse*' ...: ἔ̣στε κα παύσητ[α]ι [εἰργέσθαι δὲ τᾶς πόλιος -----]) does not seem to me suited to this context. These words might refer instead to the settlement of an amount due, or to the conclusion of some other sort of action, such as the ending of outstanding litigations.[46]

46 The use of the verb παύω in public inscriptions is largely uncommon; for instance, it appears in the *dossier* of laws about the Athenian *boule* *IG* I^3 105 (ca. 409 BC), where it refers to the term of office of the Councillors (see l. 45: πρὶν π̣α̣ύεσθαι τε͂ς ἀρχε̣͂[ς]). More significantly in respect to the present case, the same verb occurs twice in the judicial agreement between the Arkadian Stymphalos and Demetrias (Sikyon), *IPArk* n°17 (303–300 BC), where it refers to the ending of the courts' work (see ll. 17–18: "and the members of the courts on the tenth day after full moon ... shall stop mediating"; ll. 33–34: "and

Unfortunately, this inscription is too poorly preserved to allow something more secure than mere hypotheses.[47] Nonetheless, the observations above should not be taken as an exercise of imagination. In fact, the scant elements that are deducible from the surviving text can be interpreted as a coherent whole, consistent with other epigraphic evidence in Achaea.

2.3 Koinon *of the Triphylians, Makistos: Two Federal Decrees Granting Citizenship* (*ca. 400–369 BC*)

Further information on the issue of federal citizenship is provided by two inscriptions on bronze plaques pertaining to the ephemeral and scarcely known Tryphilian federal state.[48] These two documents, although both issued by the Triphylians, seem to attest to two opposing types of *politeia*.

The first document was engraved on a bronze disk of uncertain provenance, now preserved in the Louvre Museum. It has been dated slightly later than the second one on palaeographic and linguistic grounds,[49] but it belongs plainly to the period of the existence of the Triphylian state.

> θ[εο]ί· : ἔδωκαν ⁝ τοὶ : Τριφύλιοι : Πυλάδαι : καὶ Γνάθωνι : καὶ Π[ύ]ρωι : πολιτηίαν : καὶ ἀτέλειαν : πάντων, : αὐτοῖς : καὶ γένει. : δαμιοργοὶ : τοὶ ἀμφὶ Ὀλυμπιόδωρον.

This inscription reports the abridged text of a citizenship decree issued by the Triphylians and dated through the eponymous *damiourgos* Olympiodoros.[50] Due to the nature of the object itself, and to the elliptical formulation of the engraved text, it is not unlikely that the *diskos* had been made at the honourands' expense for their own prestige and safeguard. But was it more for prestige or for safeguard that the decree was published? It depends on how we interpret the grant of citizenship in this text. Some scholars suggest that the *politeia* here granted was merely honorific, that is to say that it was detached from any real participation in Triphylian political life, and did not imply residence in one

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the registered (conciliators?) shall arbitrate before the court stops judging", transl. by Arnautoglou [1998] 100 n°106).

47 Any restoration is made difficult by the complete uncertainty about the original length of the lines. If the gap's width suggested by Hiller von Gaertringen seems really too narrow, the one determined in Peek's edition is based only on the restoration of line 1.

48 On the Triphylian state see Nielsen (1997) 148–155; Ruggeri (2004) 64–140.

49 Ruggeri (2007) 93–94.

50 *SEG* 40, 392 = Hallof (1990) 43–44 = Minon (2007) n° 29. See also Nielsen (1997) 148–149; Ruggeri (2007) 133–136.

of the Triphylian *poleis*, nor integration into a local *politeia*.[51] Certainly, we can state that it was a federal citizenship, since it was bestowed by the Triphylians, and no other specification is made. In fact, an honorific grant of *politeia* did not have any practical consequence. Therefore, I wonder to what extent the conferral of the Triphylian *politeia* together with the total exemption from public burdens could have been purely ornamental in this context. In reality, it is hardly even worth bringing up the idea of a merely honorific grant. As we have already seen above, the *politeia* bestowed by a federal state is, more or less always, a potential citizenship (*isopoliteia*), to be implemented through residence in a member polis, and the acquisition of its local citizenship. On the other hand, it brings together a series of civil rights (*enktesis, epigamia*) that are equally enjoyed by any federal citizen independently from the bestowal of citizenship from one of the member *poleis* and the consequent attainment of full political rights at both the local and federal level. Therefore, it is reasonable to assume that the engraving and public disclosure (maybe in a sacred place, as the typology of the support indicates) of the Triphylian decree was aimed mainly at safeguarding the rights given to the three honourands. Nonetheless, no definitive answer can be given, since the provenance of the inscription (written in a sort of local *koine* with Doric colouring, and not in the Elean dialect)[52] is unknown.

There is also a further issue: it is doubtful whether Pyladas, Gnathon, and Pyros could have been integrated into a member polis as residing citizens. Under the word πολιτηίαν, two additional letters can be detected. These letters are of uncertain reading: ΓΝ, ΠΝ, ΓΛ, ΠΛ have been offered as plausible readings.[53] Their interpretation is controversial: the abbreviation could be related to an *ethnikon*,[54] or to the Triphylian polis where the honoured man had finally been 'registered'.[55] If the latter hypothesis holds true (the former seems to me to be quite unlikely), Pyladas, Gnathon, and Pylos would have enjoyed not only a sympolitic status, but full citizenship rights through their membership in a local polis. However, the engraving of the two additional letters under the word πολιτηίαν could also have been unintentional; in this case, they might not necessarily relate to citizenship, and, in particular, to the implementation of the federal *politeia* through the attainment of a local one. I wonder if an abbreviation of a proper name might be restored as well.[56]

51 Hallof (1990) 44; Ruggeri (2007) 94, 136.
52 Minon (2007) 195; Ruggeri (2007) 93.
53 Ruggeri (2007) 135 n. 393.
54 Jacobsthal (1933) 30.
55 Ruggeri (2007) 135.
56 Maybe the name of the one that commissioned the inscribed *diskos* at its own expense?

While the disk of the Louvre most probably concerns the conferral of the Triphylian federal *politeia* as a 'lower degree citizenship' (see above, *Part 1*), the second decree, on the contrary, attests unequivocally to the full political integration of the honourands into a local polis and, therefore, into the Triphylian state itself.[57]

ἔδοξε τοῖρ Τριφυλίοιρ· ὅσσοι ἐν τοῖ
πίνακι ἐνηγράφενται Μακιστί-
οιρ ἦμεν· αἰ δέ τιρ συλαία τὰμ
πολιτείαν αἴτε ἐκ τελέων
ἀποστέλλοι δικαίωρ πο-
λιτειομένοιρ καὶ κατ
τὸν ⟨νόμον⟩, ἀσεβήτω ποτ τᾶρ Ἀ-
θάναρ. Δαιμάχō δαμιω-
ργô, κατακόω Ἀγησιδά-
μω, Δίω μηνός· (*twelve names follow*)

This evidence is rather striking, since it attests a patent exception to the rule of the division of sovereignty (see above) between federal states and member *poleis*. In fact, contrary to normal practice in a federal citizenship decree, the Triphylian *koinon* confers here the local *politeia* of one of its member *poleis* (Makistos) to twelve individuals, thus interfering in the internal autonomy of the Makistians.[58] As far as I know, this inscription represents the only occurrence of such a phenomenon, whereas the possible further cases evoked in this respect by Nielsen cannot actually be considered a perfect parallel.[59] There-

In fact, the reading ΓΝ (Jacobstahl) could be related to the name Γνάθων, but to none of the Tryphylian *poleis*.

57 SEG 35, 389 = Siewert (1987) = Minon (2007) n° 28. See also Nielsen (1997) 149; Ruggeri (2007) 133–137; Freitag (2012) 85–86; Rizakis (2012) 30.

58 On Makistos and its membership in the Triphylian *koinon*, see Nielsen (2002) 234–237.

59 Nielsen (1997) 149, citing Rhodes (1995) 108 on some decree issued by the Nesiotic League in the third century BC (IG XI.4 1038, 1039, 1040, 1045, 1046), where citizenship rights are conferred ἐ[ν] πάσαις ταῖς νήσοις ὅσαι μετέχουσιν τοῦ συνεδρίου. These examples are far from being comparable to the Triphylian decree SEG 35, 389. First, one must take into account that the League of the Islanders cannot be considered a real federal state, but rather 'a superstructure over and above the individual member *poleis*, which assumes some of the sovereign powers of those states. But it does not completely absorb those states.' (Meadows [2013] 34). Second, the Triphylian decree SEG 35, 389 concerns the naturalization of individuals into a specific member polis, whereas, in the case of the Islanders' decrees (that rather recall closely the Thessalian citizenship decrees mentioned

fore, it is necessary to ask ourselves if we are dealing here with a real exception. Siewert has assumed that the Makistians were a local subdivision of the Triphylians, namely one *phyle* of the 'Tri-phylioi'. In this way, the naturalization procedure would be far from unusual, since the Makistians would indeed be an institutional subgroup of the Triphylian state, devoid of any political autonomy in matters concerning citizenship.[60] But Siewert's assumption is weak in many respects, and has been rejected.[61] Nielsen, in particular, has stressed the fact that the Triphylias were actually a federal state, made up of *poleis*, and that Makistos was a freestanding polis during the period of operation of the Triphylian federation.[62] Freitag has correctly noted that the presence of a double *politeia*, as is inferable from the two decrees here presented, is a sufficient reason for considering the Triphylian union a federal state.[63] That being the case, I think it better to admit that this decree is just one of the empirical exceptions to the theoretic rules of federal citizenship. We must take into account that the interference of the Triphylian federation in the internal autonomy of Makistos could probably find a better reason in the history of the Triphylian *koinon*. But unfortunately, we have little information about the geopolitical balance of power within this small Elean state; on the other hand, we have no idea about the concrete circumstances (perhaps of emergency?[64]) in which our citizenship decree has been issued. Certainly, one should not exclude the possibility that the decree of the Thriphylians was the final ratification of an initiative carried out by Makistos.[65] The terse formulation of the inscribed text, where a sacral context seems to prevail over a merely institutional one,[66] indeed leaves such a possibility open. Nonetheless, we should not overlook the fact that the main part of the text is made up of clauses aimed at pro-

above, see pp. 91–92), we are not dealing with provisions that have been issued by the central power and imposed on a single member state, but rather with provisions that have been arranged by all the federated *poleis* within the common *synedrion*, and successively implemented inside each polis (see *IG* XI.4 1038, ll. 29–37: τὸ δὲ ψήφισμα | τόδε ἀναγράψαι εἰ[ς σ]τήλην λιθίνην καὶ ἀναθεῖ|ναι τοὺς συνέδρους εἰ[ς] τὸ ἐν Δήλωι ἱερόν· κατὰ | ταῦτα δὲ ψ[η]φισάσθωσαν αἱ μετέχουσαι τῶν πό|λεων τοῦ συνεδρίου καὶ ἀναγραψάτωσαν εἰς | στήλας λιθίνας τὸ δόγμα τόδε καὶ ἀναθέτω|σαν εἰς τὰ ἱερὰ ἐν οἷς καὶ αἱ ἄλλαι τιμαὶ παρ' ἑ|κάστοις τῶν νησιωτῶν εἰσιν ἀναγεγραμ|μέναι.)

60 Siewert (1987) 276.

61 Minon (2007) 187–188; Ruggeri (2007) 134–135.

62 Nielsen (1997) 149.

63 Freitag (2012) 86.

64 Minon (2007) 189.

65 Rizakis (2012) 30.

66 Boffo (1995) 128; Ruggeri (2007) 134.

tecting new citizens: those who eventually would have disallowed them from citizenship or from public office would have been accused of impiety against Athena, and, therefore, severely condemned (perhaps through exile).[67] These clauses, indeed, may be revelatory of a conflict between the federal government and the city of Makistos. The text's features, and the extreme paucity of epigraphic evidence for the Triphylian state and its official formularies, make it impossible for us to completely rule out the possibility that the integration of the twelve new citizens had been approved also by the Makistians, through a local decree. The real institutional procedure, therefore, might have been less uneven than it appears from this inscription. Nonetheless, the situation of conflict that emerges from the measures in lines 3–8 suggests at least a 'hearty recommendation' to the Makistians by the Triphylian central government: a recommendation that brings to mind the requests made by king Philip V to the Larissaeans, in the well-known politography inscription *Syll.*^{3} 543.

2.4 Koinon *of the Akarnanians, Stratos: Three Proxeny and Citizenship Decrees (Third Century BC)*

The issue of the relationships between federal and local political competences in the matter of citizenship can find further evidence in some Akarnanian inscriptions. *IG* IX.1^2 391, 392, and 393 are third-century honorary decrees, respectively issued by the polis of Stratos (the first two), and by the Akarnanian *koinon* (the third one). The evidence provided by these three combined documents has not received due emphasis in the studies on federal citizenship, although, as we shall see further, it attests to a case of the bestowal of citizenship that is diametrically opposed to what we have seen here above, although it is likewise tricky.[68]

The decree *IG* IX.1^2 393, of which the first four lines are reprinted below, has been issued by the Akarnanian *koinon*. Although the prescript and the sanction formula are lost, the nature of the federal decree of *IG* IX.1^2 393 can surely be inferred from the bestowed honours. Equally unknown are the honourand's name and provenance, but, for the same reasons, he must have necessarily been a foreigner.

> ....$^{c.8}$.... ν πρόξενον εἶναι τῶν [Ἀκαρ]-
> ⟨νάνων⟩ [καὶ εὐεργ]έτην καὶ πολιτείαν εἶ[ναι]

67 Ruggeri (2007) 135.

68 A brief description in Freitag (2012) 88.

[αὐτῶι τῆς Ἀ]καρνανίας ἐν ὁποία[ι ἂν]
[βούληται π]όλει κτλ.

The formula 'let him have the citizenship of Akarnania in whatever city he wants' is particularly significant, since it links explicitly the enjoyment of federal *politeia* with the integration into a member polis. That being said, I am not able to determine whether this clause is here referring to the enjoyment of the basic rights of federal citizenship along with the faculty of residing in any Akarnanian city, or, conversely, to the enjoyment of full federal citizenship through naturalization into one of the Akarnanian member states. In both cases, the general point remains valid that the *politeia* bestowed by a federal state was almost always a kind of 'potential citizenship'.

The decrees *IG* IX.1^2 391 and 392 contain a set of honours of the same typology as *IG* IX.1^2 393, viz. *proxenia*, *politeia*, *enktesis*, *ateleia*, *enteleia*, *asylia*, and *asphaleia*. Moreover, just as in *IG* IX.1^2 393, the two honoured individuals are both non-Akarnanians, coming respectively from Crete (Phaistos) and Euboea (Karystos). But here the problem arises, since the decrees *IG* IX.1^2 391 and 392 are issued by the polis of Stratos (ἔδοξεν τῆι πόλει τῶν Στρατίων), and not by the Akarnanian *koinon*. Also in this case, we are dealing with a patent exception to the rule of the sharing of sovereignties. But this time, it is a member polis that intrudes upon the institutional competences of the federal state. In fact, at least in theory, the bestowal of local *politeia* on a foreigner implies that he also becomes automatically a citizen of the federal state. In order to solve such a puzzling case, we could be tempted to provide some 'normalizing' explanation, viz. that, actually, the bestowal of local *politeia* upon a non-Akarnanian did not produce any effect on a federal level, or else that the decrees *IG* IX.1^2 391 and 392 followed a federal provision. Such hypotheses cannot be ruled out at all, but, nonetheless, they are hardly convincing.[69] Indeed, it is preferable to put aside any theoretical approach, and to consider the above inscriptions only as the historical product of a practice of citizenship within the Northwestern *ethnos* of the Akarnanians, and not within an 'ideal type' of Greek federal state. This is what Pierre Cabanes made clear in his article 'Public et privé dans le cadre de l'*ethnos* en Grèce ancienne'. Through an analysis of the three Akarnanian decrees *IG* IX.1^2 391–393, and of other epigraphic documents from Akarnania, Epirus, and Aetolia, Cabanes highlights that, within such *ethne*, the political

69 As far as the latter is concerned, one must note the complete lack of any references to the Akarnanian federal state; if the Stratian decrees had been issued abiding by a federal initiative, this fact would have been rather striking.

and institutional practice was characterized by a much greater mixing between 'public' and 'private' activities, and, consequently, by a less clear-cut separation between central and local levels of power.[70]

Alongside Cabanes' reading, it is possible to add some further observations on the particular features of Stratos and of its geopolitical role in the frame of the Akarnanian *ethnos*. Recently, I have analysed rather in detail the case of Stratos, which until 230 BC had been by far the most important city of Akarnania, and which had been able to catalyse around itself the territorial and institutional development of the Akarnanian federal state.[71] Stratos, as far as it emerges from the scanty evidence available, was not only the capital city of the Akarnanians, but also a particular kind of urban settlement and political community, in which the features of the polis/city-state and of the *ethnos*/federal state were to some extent overlapping. It is therefore against this background that we must read the 'uneven' polis decrees *IG* IX.1^2 391 and 392.

2.5 **Koinon** *of the Aetolians, Delphi: Aetolian Decree and Letter of the* **kosmoi** *of (V)axos, Crete* **(***200–170 BC***)**

In the previous pages, I have sometimes referred to the possibility that a foreign individual could be integrated into a federal state not only via the award of full citizen-rights (bestowed with the *politeia* of a member state), but also through the achievement of an 'isopolitic status', a sort of lower-level *politeia* that granted him some civil rights within the *ethnos*' territory.[72] Significant evidence in support of this hypothesis is provided by the inscription *Syll.*^{3} 622, an epigraphic dossier from Delphi containing a decree of the Aetolians (part A) and a letter (part B) addressed to the Aetolian government by the *kosmoi* of the Cretan city of (V)axos.[73]

70 Cabanes (1998) 441–449.

71 Lasagni (forthcoming).

72 On this issue, see in particular Freitag (2012) 92–94, who speaks about a sort of *metoikos*-status, or a special status of *isopoliteia*, whose existence can be inferred mainly from Aetolian inscriptions: 'Kontrovers diskutiert wird auch die Frage, ob es in den griechischen Bundesstaaten so etwas wie einen 'Metoiken'-Status gab oder Halb- bzw. Passivbürger existierten, d.h. Personen, die zwar in einem hellenistischen Koinon aufenthaltsberechtigt waren, aber nicht das volle Bürgerrecht besaßen. […] Für den Aitolischen Bund lässt sich demnach mit einiger Sicherheit festhalten, dass dort ein Metoiken-Status bzw. ein Sonderstatus der Isopolitie-Aitoler existierte'.

73 *Syll.*^{3} 622A = *IG* IX.1^2 178 (Aetolian decree); *Syll.*^{3} 622B = *IC* II v, 19 (letter of the Vaxian *kosmoi*). See also Gauthier (1972) 369–371; Ogden (1996) 291 (on Epikles' family status); Buraselis (2003) 45–46; Chaniotis (2005) 493–494; Saba (forthcoming).

A [στραταγέοντος τῶν Αἰτωλῶν τοῦ δεῖνος *ethnicum*, γραμμα]-
[τεύοντος δ]ὲ βουλᾶς . α . δ[.c.6.., τῶν δὲ Αἰτωλῶν γραμ]-
[μ]ατεύοντος Φίλωνος τοῦ Ἀπ̣[-----c.7----- *ethnicum* ... · ἔδοξε]
[τ]οῖς Αἰτωλοῖς· τ[ὰ]ν ἐ[πισ]τολ[ὰν παρὰ τῶν κόσμων καὶ τᾶς]
[π]όλιος τῶν Ὀαξίων ποτὶ τὸ κοινὸν [τῶν Αἰτωλῶν, περὶ Ἐπικλέ]-
ο̣ς, ὅς ἔστι μὲν Ὀάξιος, κατ[ο]ικεῖ δὲ [ἐν Ἀμφίσσαι, ἀναθέμεν]
ἔν τε Δελφοῖς καὶ ἐν Θέρμωι τ̣ὸ̣ν̣ [γρ]α[μματέα Φίλωνα, καὶ]
τὰν ἀναγραφὰν δόμεν Ἐπικλεῖ· [τὰν δὲ ἐπιμέλειαν τ]ὰ̣ν
περὶ τᾶς ἀναγραφᾶς ποιήσασθαι ἐν νο[μίμωι ἐκκλησί]α̣ι̣.

B Ϝ̣αξίων οἱ κόσμοι καὶ ἁ πόλις Αἰτωλῶ[ν συνέδροις] καὶ τῶι στρα-
ταγῶι καὶ τῶι ἱππάρχαι χαίρειν. γινώ[σκε]τε Ἐράτωνα πολί-
ταν ἁμὸν ἰόντα, ἐκπλεύσαντα δὲ ἐπὶ στ[ρ]ατ[ε]ίαν εἰς Κύπρον
καὶ λαβόντα γυναῖκα τεκνοποιήσασθαι υ[ἱ]ούς δύο, Ἐπικλῆν
καὶ Εὐαγόραν. συνέβα δὲ ἀποθανόντος τ̣ῶ Ἐράτωνος ἐν τ̣ᾶι
Κύπρωι, αἰχμαλώτως γενέσθαι τὸνς πε[ρ]ὶ τὸν Ἐπικλῆν καὶ
τὰμ ματέρα αὐτῶν καὶ πραθῆμεν τὸν Ἐπικλῆν εἰς Ἄμφισσαν·
καταβαλὼν δὲ τὰ λύτρα ὁ Ἐπικλῆς οἰκε[ῖ π]αρ' ὑμὲ ἐν Ἀμφίσσαι,
πολίτας ἰὼν ἁμὸς αὐτός τε κα[ὶ τ]ὰ τέκ[να αὐ]τῶ Ἐρασ[ιφῶ]ν [καὶ]
Τιμῶναξ καὶ θυγάτηρ Μελίτα. [καλῶς οὖν π]οιη⟨σ⟩εῖτε φροντίδ-
δοντες ὅπαι εἴ τίς κα ἀδικῇ α[ὐτώς, κω]λύηται ὑφ' ὑμίων [καὶ κοι]-
νᾶι καὶ ἰδίαι, ἁ δὲ κοινοπολι[τείας] ἀΐ̣δ̣ια ὑπάρχ̣η̣ ἀν[αγραφά].

Both the Cretans' request and the Aetolian decree issued in response deal with protective measures in favour of a Cretan man, Epikles, and with the safeguard of his rights in Aetolia. The personal and family history of Epikles, outlined in the letter itself (B ll. 2–10), sounds to a certain extent exceptional. Son of a Cretan mercenary of (V)axos, Epikles was made prisoner in Cyprus (where his father had previously moved), and brought to Amphissa, where he paid his ransom. At the time, Epikles was still living in Amphissa, in the Aetolian territory. It is believable that such a need for additional protection measures on Epikles' behalf was determined by the special circumstances of his arrival in Aetolia, and, on the other hand, by his privileged status within the Aetolian federal state, as a Cretan and (V)axian citizen. Epikles was not a mere *xenos* residing in Aetolia, but he held specific rights within the Aetolian *koinon*. In fact, the (V)axian *kosmoi* solicited not only the Aetolians' protection for Epikles, but also demanded that his '*koinopoliteia*' be maintained in public records (B ll. 10–12). In response to this, the Aetolian *koinon* provided for the letter to be exposed in Delphi and Thermos, whereas a third copy of the document was to be given to Epikles himself (A ll. 4–8). The epigraphic *hapax* κοινοπολιτεία is nothing but a neologism, used by the (V)axians

to indicate Aetolian federal citizenship, or, better, the isopolitic status enjoyed by Epikles in Aetolia.

At that time, the polis of (V)axos and the Aetolian *koinon* were tied to each other by an agreement of *isopoliteia*, attested in a fragmentary inscription from the Cretan city, dated to the end of the third or the beginning of the second century BC.[74] The information provided by the letter is aimed at defining a legitimate line of descent, which went from Epikles' father—evidently, the first of the family to be given Aetolian isopoliteia, as a citizen of (V)axos—up to Epikles' offspring, Erasiphon, Timonax, and Melita. It is worth stressing that the grandfather Eraton, the son Epikles, and the three nephews are all 'citizens of (V)axos' (B ll. 2–3, 9–10). The same status, in relation to Epikles, is recalled in the Aetolian decree (A l. 6). In this respect, we must not forget that Epikles had come to Aetolia as a captive, and that, since the agreement with the Aetolian federation applied only to legitimate citizens of (V)axos, Epikles' position must have been redeemed, for he could enjoy in Aetolia the rights to which he was entitled.

Epikles was a citizen of (V)axos who dwelled in Amphissa (A l. 6: κατοικέω; B l. 8: οἰκέω παρά …). From the one side, therefore, he had maintained his ancestral *politeia*, without acquiring full citizenship rights in the Aetolian federation. From the other side, nonetheless, he enjoyed some basic civil rights (*enktesis* and *epigamia*), according to the *isopoliteia* agreement signed between his polis and the Aetolian *koinon*. Perhaps, the case of Epikles seems to us more exceptional than it was in reality, inasmuch as we know his history in some detail from *Syll.*^{3} 622. However, it is possible to assume that, also because of the large use of potential citizenship in interstate relations ruled by the Aetolian *koinon*, Epikles was part of a social category rather widespread in Aetolia. A large number of *asylia* treaties report the formula οἱ Αἰτωλοὶ καὶ οἱ ἐν Αἰτωλίαι κατοικοῦντες, or, alternatively, οἱ Αἰτωλοὶ καὶ οἱ ἐν Αἰτωλίαι πολιτεύοντες. The two expressions were substantially interchangeable.[75] Combined together, they describe the midway political status of a non-negligible part of the Aetolian population, in which Epikles belonged.

74 *IG* IX.1^2 193 = *IC* I v, 19. Commentary in Saba (forthcoming). On the Aetolian use of *asylia* and *isopoliteia* in its relationships with the communities of eastern Aegean, see Funke (2008) 253–267.

75 Freitag (2008) 92.

3 To Sum Up: 'De perto, ninguém é normal'

Certainly, it may seem not particularly appropriate to conclude an article on Greek institutional history quoting Caetano Veloso. Nonetheless, the idea that 'up close, nobody is normal' could be a golden rule not only for interpersonal relations, but also for an honest approach to ancient evidence, if only we translate it into our language: up close, no Greek federal state is an 'ideal type' of Greek federal state; no federal citizenship practice overlaps perfectly to a general theory of federal citizenship; none of the ancient documents relevant to federal *politeia* need to be normalized for being correctly interpreted, since they are nothing but the product of historical and geopolitical circumstances that occurred on a specific step of a long institutional development.

The epigraphic documents that have been analysed in Part II of this article are valuable, first and foremost, as evidence of the citizenship practice within the singular federal states in which they were issued. Besides this, however, such documents have been able to shed some light on all the major issues related to federal citizenship, viz. 1. the relationship between local and federal *politeia* (inscription 1 and 2); 2. the respective fields of competence of the federal state and of its member *poleis* in matters of citizenship (inscriptions 3 and 4); 3. the existence of various degrees of citizenship rights (inscription 5).

Bibliography

Ager, S.L. 1997. *Interstate Arbitrations in the Greek World, 337–90 BC*. Berkeley, Los Angeles and London.

Antonetti, C. 1990. *Les Étoliens. Images et Religion*. Paris.

Arnautoglou, I. 1998. *Ancient Greek Laws. A sourcebook*. London and New York.

Bearzot, C. 2004. *Federalismo e autonomia nelle Elleniche di Senofonte*. Milano.

Beck, H. 1997. *Polis und Koinon: Untersuchungen zur Geschichte und Struktur der Griechischen Bundesstaaten im 4. Jahrhundert v. Chr*. Stuttgart.

Beck, H. 2001. "The Laws of the Fathers" versus "the Laws of the League". Xenophon of Federalism. *CPh* 96: 355–375.

Bingen, J. 1954. Inscriptions d'Achaïe. *BCH* 78: 74–88.

Boffo, L. 1995. Ancora una volta sugli "archivi" nel mondo greco. Conservazione e "pubblicazione" epigrafica. *Athenæum* 83: 91–130.

Buraselis, K. 2003. Considerations on *Symmachia* and *Sympoliteia* in the Hellenistic Period. In *The Idea of European Community in History, II. Aspects of Connecting Poleis and Ethne in Ancient Greece*, eds. K. Buraselis and K. Zoumboulakis, 39–50. Athens.

Cabanes P. 1998. Public et privé dans le cadre de l'*ethnos* en Grèce ancienne. *Ktema* 23: 441–449.

Chaniotis, A. 2004. Mobility of Persons during the Hellenistic Wars. State Control and Personal Relations. In *La mobilité des personnes en Méditerranée, de l'Antiquité à l'époque moderne. Procédures de contrôle et documents d'identification*, ed. C. Moatti, 481–500. Roma.

Corsten, Th. 2006. Stammes- und Bundeskulte in Akarnanien. In *Kult-Politik-Ethnos: Überregionale Heiligtümer im Spannungsfeld von Kult und Politik.* (*Historia Einzelschriften*, 198), eds. K. Freitag, P. Funke, and M. Haake, 157–167. Stuttgart.

Dreher, M. 2003. *Symmachia* und *Sympoliteia* in der griechischen Welt bis 323 v. Chr. In *The Idea of European Community in History*, II. *Aspects of Connecting Poleis and Ethne in Ancient Greece*, eds. K. Buraselis and K. Zoumboulakis, 29–38. Athens.

Freitag, K. 2009. Achaea and the Peloponnese in the Late Fifth—Early Fourth Centuries. In *The Politics of Ethnicity and the Crisis of the Peloponnesian League*, eds. P. Funke and N. Luraghi, 15–29. Cambridge (Mass.).

Freitag, K. 2012. Zur Integration von Neubürgern in den griechischen Bundesstaaten in Hellenistischer Zeit—Ein Problemaufriss. In *Migration und Bürgerrecht in der Hellenistischen Welt*, ed. L.M. Günther, 83–95. Wiesbaden.

Funke, P. 2008. Die Aitoler in der Ägäis. Untersuchungen zur sogenannten Seepolitik der Aitoler im 3. Jh. v. Chr. In *Vom Euphrat bis zum Bosporus. Kleinasien in der Antike*, (*Festschrift für E. Schwertheim zum 65. Geburtstag*), ed. E. Winter, 253–267. Bonn.

Gauthier, Ph. 1972. Symbola. *Les étrangeres et la justice dans les cités grecques*. Nancy.

Giovannini, A. 1971. *Untersuchungen über die Natur und di Anfänge der bundesstatlichen Sympolitie in Griechenland*. Göttingen.

Giovannini, A. 2003. Genèse et accomplissement de l'État fédéral de la Grèce antique à la Constitution Américaine de 1787–1789. In *The Idea of European Community in History. Conference Proceedings, Vol. II: Aspects of Connecting Poleis and Ethne in Ancient Greece*, eds. K. Buraselis and K. Zoumboulakis, 143–176. Athens.

Giovannini, A. 2007. *Les relations entre les États dans la Grèce antique: Du Temps d'Homère à l'intervention Romaine (ca. 700–200 av. J.-C.)*, (*Historia Einzelschriften* 193). Stuttgart.

Graninger, D. 2011. *Cult and Koinon in Hellenistic Thessaly*. Leiden.

Habicht, Ch. 1976. Ambrakia und der Thessalische Bund zur Zeit des Perseuskrieges. In *Demetrias I*, eds. V. Milojcic and D. Theocharis, 175–180. Bonn.

Habicht, Ch. 2006. Ambrakia and the Thessalian League at the Time of the War against Perseus. In Id., *The Hellenistic Monarchies. Selected Papers*, 134–147. Ann Arbor.

Hallof, K. 1990. Zur Herkunft des Bronze-Diskos mit dem Beschluß der Triphylier. *APF* 36: 43–44.

Helly, B. 2001. Un décret fédéral des Thessaliens méconnu dans une cité d'Achaïe Phthiotide (*IG* IX 2, 103). *BCH* 125: 239–287.

Larsen, J.A.O. 1953. The Early Achaean League. In *Studies Presented to David Moore Robinson*, eds. G.E. Mylonas and D. Raymond, 797–815. St. Louis.

Larsen, J.A.O. 1971. The Rights of the Cities within the Achaean Confederacy. *CPh* 66: 81–86.

Lasagni, C. 2011, *Il concetto di realtà locale nel mondo greco. Uno studio introduttivo nel confronto tra poleis e stati federali.* Roma.

Lasagni, C. forthcoming. "Tribal poleis" in Northwestern Greece. *La Question de l'Espace au IV^e^ siècle av. J.-C.: continuités, ruptures, reprises*, eds. S. Montel and A. Pollini, (*DHA, Supplement* 15). Besançon.

Lefèvre, F. 1998. Traité de paix entre Démétrios Poliorcète et la confédération étolienne (fin 289?). *BCH* 122: 109–141.

Lehmann, A. 2001. *Ansätze zu einer Theorie des griechischen Bundesstaates bei Aristoteles und Polybios*. Göttingen.

Mackil, E. 2003. *Creating a Common Polity. Religion, Economy, and Politics in the Making of the Greek Koinon*, London, Berkeley, and Los Angeles.

Magnetto, A. 1997. *Gli arbitrati interstatali greci. Introduzione, traduzione, testo critico e commento. Vol. II: Dal 337 al 196 a.C.* Pisa.

McInerney, J. 2001. *The Folds of Parnassos: Land and Ethnicity in Ancient Phokis*. Austin.

Meadows, A. 2013. The Ptolemaic League of Islanders. In *The Ptolemies, the Sea, and the Nile: Studies in Waterborn Power*, eds. K. Buraselis, M. Stefanou, and D.J. Thompson, 19–38. Cambridge.

Minon, S. 2007. *Les Inscriptions éléennes dialectales* (*VI^e^–II^e^ siècle avant J.-C.*), *Vol. I, Textes*. Genève.

Mitsos, M. 1937. Εἰς IG IV.2 1,170. *AEph* III.76: 708–714.

Morgan, C. 2003. *Early Greek States Beyond the Polis*. London and New York.

Nielsen Th.H. 1997. Triphylia. An Experiment in Ethnic Constitution and Political Organisation. In *Yet more Studies in Ancient Greek Polis*, (CPC 14, *Historia Einzelschriften* 117), ed. Th.H. Nielsen, 129–162. Stuttgart.

Nielsen Th.H. 2002. *Arkadia and its Poleis in the Archaic and Classical Periods* (*Hypomnemata*, 140). Göttingen.

Ogden, D. 1996. *Greek Bastardy in the Classical and Hellenistic Period*. Oxford.

Rizakis, A. 1990. La *politeia* dans le cités de la confédération achéenne. *Tyche* 5: 109–134.

Rizakis, A. 2008. L'expérience de l'organisation intercivique et supracivique dans la confédération achéenne. In *Forme sovrapoleiche e interpoleiche di organizzazione nel mondo greco antico. Atti del Convegno Internazionale, Lecce 17–20 Settembre 2008*, eds. M. Lombardo and F. Frisone, 274–289. Galatina.

Rizakis, A. 2012. La double citoyenneté dans le cadre des *koina* grecs: l'exemple du *koinon* achéen. In *Patrie d'origine et patries électives: les citoyennetés multiples dans le monde grec d'époque romaine*, (*Scripta Antiqua, 40*), eds. A. Heller and A.V. Pont, 23–38. Bordeaux.

Ruggeri, C. 2004. *Gli stati intorno a Olimpia. Storia e costituzione dell'Elide e degli stati formati dai perieci elei* (400–362 a.C.), (*Historia Einzelschriften* 170). Stuttgart.

Rzepka, J. 2002. *Ethnos, Koinon, Sympoliteia* and Greek Federal States. In *Εὐεργεσίας χάριν. Studies Presented to Benedetto Bravo and Ewa Wipszyska by their Disciples*, (*The Journal of Juristic Papyrology, Suppl. 1*), eds. T. Derda, J. Urbanik, and M. Węcowski, 225–247. Warsaw.

Saba, S. 2010. Greek Cities and Families. In *A Companion to Families in the Greek and Roman World*, ed. B. Rawson, 395–407. Chichester.

Saba, S. forthcoming. *Isopolity in the Hellenistic Time.*

Siewert, P. 1987. Eine neue Bürgerrechtsverleihung der Triphylier aus Màsi bei Olympia. *Tyche* 2: 275–277.

Vimercati, E. 2005. Plutarco e il federalismo (*Arat.* 24; *Philop.* 8). *Aevum* 79: 61–78.

Vlassopoulos, K. 2007. *Unthinking the Greek Polis. Ancient Greek History Beyond Eurocentrism.* Cambridge.

Walbank, F.W. 1976–1977. Were There Greek Federal States? *SCI* 3: 27–51.

CHAPTER 4

The Case of Multiple Citizenship Holders in the Graeco-Roman East

Andreea Ștefan

τίς πόθεν εἰς ἀνδρῶν;

Who art thou among men, and from whence?[1]

Ἐγὼ ἄνθρωπος μέν εἰμι Ἰουδαῖος, Ταρσεὺς τῆς Κιλικίας, οὐκ ἀσήμου πόλεως πολίτης.

I am a Jew, from Tarsus in Cilicia, a citizen of no insignificant city.[2]

∵

The choice of these two quotations may at first glance look peculiar as it creates a dialogue that never happened. In fact, these quotations bridge together periods of time, areas and cultures that are as distant as they can get in Hellenic antiquity: the first quotation has Queen Arete questioning Odysseus about his identity in *Odyssey* 7.[3] The second, by contrast, has Paul of Tarsus, who writes in Greek several centuries later, introducing himself as a Jew.[4] Paul's words bring me straight to my topic, as they point to the fact that citizenship was of the utmost importance in defining one's identity in Graeco-Roman antiquity. On presenting himself, Paul decides to stress his citizen status, which is stated immediately after his ethnic origin. It should be noted that his statement of identity is to some extent topographical, as ethnonyms bear an implicit refer-

1 Translated by A.T. Murray.
2 Translated by the Rainbow Missions.
3 Hom. *Od.* 7.238.
4 *Act. Ap.* 21.39.

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ence to a place of origin,[5] and ancient citizenship automatically directs to a polis. Considering that Tarsus is presented as an important centre, the choice of identifying himself as one of its citizens stresses the prestige it brings to the individual.

1 Framing Citizenship in the Greek East under Roman Rule: A Conceptual Problem

What did citizenship mean in the Greek cities of Asia Minor under Roman rule? Did it have a homogeneous meaning that expressed identical realities from one polis to another within the boundaries of the Empire? It probably did not, although some consistent similarities must have existed. To speak about citizenship within Graeco-Roman communities, as well as to try to comprehend most of the ancient realities that have a modern counterpart, is a tricky and slippery matter. Modern concepts bear meanings shaped over the course of centuries, in contexts sometimes very different from the original ones.[6] A working definition of citizenship would therefore be necessary.

Considering that citizenship can be approached from a variety of perspectives,[7] here I have chosen to discuss its ties with individual and group identification. The dichotomy between individual and group derives from the fact that '*civitas Romana* est d'abord, pour les provinciaux de l'Empire qui en bénéficient, un statut personnel et une communauté de droit, la *politeia*, pour un Grec, renvoie à l'appartenance à une communauté autonome au sein de laquelle il exerce ses droits politiques et qui est le lieu nécessaire de sa vie publique'.[8] Thus, I take citizenship as being essentially 'a shared membership in a political community'.[9] From this perspective, citizenship can be discussed as the result of a collective decision; in terms of identity, it contributes to the creation of a social identity. I am here referring to social identity as defined by Anthony Appiah,[10] according to whom social identity has the following structure. First of all, there must be a label *L* for the identity and a rough social agreement on what being an *L* means. Secondly, individuals who fit within the social conception of *L* must identify themselves as *L*s; this means that participation in the category

5 Laurence (1998) 5.
6 For an up to date discussion, see Karolewski (2010) 7–22.
7 Some cited under note 5, in Karolewski (2010) 8.
8 Heller and Pont (2012) 13.
9 Karolewski (2010) 8.
10 Appiah (2005) 67–69.

of *L* should affect one's self-understanding, emotions and actions. Thirdly, other people must treat as *L*s those who identify themselves as *L*s. Fourthly, a social identity, as defined under these conditions, must be significant in both ethical and political life.

However, this viewpoint, perfectly operational when investigating citizenship in relationship to its emitting polis or *civitas*, does not give much insight into the meanings attached to an acquired second, and, on occasion, third, or even fourth citizenship. For what can it tell us about grants of Roman citizenship in the free Greek cities of the East? In the vast majority of cases, the bestowing of Roman citizenship was not the result of a collective decision; neither did it contribute, as far as the new Roman citizen was concerned, to creating a sense of membership in a community with other Romans. In most cases one remained local, a citizen of a polis, a Greek, or, as we have seen earlier, an ethnic Jew. Therefore, it seems far more useful to consider these types of citizenship in terms of their contribution to the way an individual identified himself, investigating how and in what circumstances citizenship(s) helped shape the distinct identity of the person who benefited from it/them. I will deal with citizenship in terms of its contribution to individual identity in the third part of this paper.

2 Local Citizenship and Social Identity in the Graeco-Roman East

Most of the Greek cities of the East continued to enjoy internal autonomy, even after the Roman conquest, as *civitates liberae*, or on the grounds of other legal agreements.[11] Under the new ruler, they perpetuated their former institutions and, most importantly, their civic bodies. Usually based on residence and kinship,[12] citizenship in the Greek *poleis* was, in democratic regimes, highly participatory, and usually exclusive.[13] With the Roman conquest and its subsequent support of aristocratic regimes, however, this situation rapidly evolved towards limiting the access of ordinary citizens to assemblies and giving the ruling bodies to the elites.[14] Most likely, it is in this context, and finding support in the practice of granting honorary Roman citizenship, as Julien Fournier[15]

11 Sherwin-White (1973) 174–189.

12 Blok (2013) 164–167.

13 Gauthier (1985) 197–206. However, see the cases of *sympoliteia* treated by Lasagni in this book.

14 See recently Heller (2009).

15 Fournier (2012) 89.

supposes, that the practice of accumulating multiple local citizenships established itself in the Greek East.

Cities had to adapt to these new realities. Therefore we have to raise the question of how Greek citizenship(s) worked under Roman rule. Although the legal content of citizenship did not formally change, or at least does not appear to have changed, the restriction of participation in decision-making to the elites must have affected the functioning of the civic bodies as wholes. A.N. Sherwin-White[16] was not alone in believing that the leading elites of the cities in the East formed a distinct class, the *honestiores*, who are to be identified with those citizens that Aelius Aristides defined as τὸ μὲν χαριέστερόν τε καὶ γενναιότερον καὶ δυνατώτερον 'the more accomplished, noble, and powerful people'.[17] The epigraphic evidence supports this interpretation by illustrating the increasing interest of local elites in joining the ranges of the two Roman *ordines*, especially from the second half of the 1st century AD onwards.[18] Thus, it seems legitimate to ask, alongside Anna Heller,[19] whether the Roman system of *ordines* was ever implemented in the East. Her answer is negative, but the fact that citizenship evolved into something like 'une citoyenneté à deux vitesses' was nonetheless a *de facto* reality in the *poleis*. Ordinary citizens, though not completely excluded from the public life of their cities, faced drastic limitations in their political participation.

In order to have a better grasp of the social implications these restrictions had, it seems useful to apply J.K. Davies' viewpoint and analyse the citizen body as a twofold identity, i.e. both a 'descent group' and an 'interest group' insofar as the citizens are a group sharing special economic privileges.[20] In what follows, 'descent group' is used with a restricted meaning: it does not refer to a shared (mythical) origin. Rather, it takes as a starting point the fact that citizenship normally passed from one generation to the next. The ethnic name linked to a polis covers, to some extent, common origins. The following analysis focuses on two main types of sources that spread the official discourse of the polis, i.e. the orations of prominent *rhetores* and public decrees, for they closely mirrored the image of citizens as a social group and contributed in building a shared citizen-identity.

The civic body appears frequently in the works of the Second Sophistic. Some of the speeches of these authors focused on 'classical' themes, and they

16 Sherwin-White (1973) 313.
17 Ael. Ar. *Orat.* 14.213, translated by C.A. Behr.
18 See Demougin (1999)—equestrian order; Birley (1997)—senatorial order.
19 Heller (2009).
20 Davies (1978) 105–121.

aimed at entertaining an audience, while others treated contemporary matters. Some of them were meant to appease civic strife or conflicts between neighbouring *poleis*, or offering solace to calamity-stricken communities. Authors such as Dio Chrysostom and Aelius Aristides repeatedly addressed the citizens of the cities in which they delivered their speeches by the long-established formula *andres*, followed by the proper adjective indicating the polis. The formula covered in classical times all the citizens of a polis. But what meaning could it still convey in the second century AD? Was it a mere literary reminiscence used as a rhetorical ornament, or did it preserve some content?

Aelius Aristides addresses the Spartans as ἄνδρες Λακεδαιμόνιοι in *On Behalf of Making Peace with the Athenians*,[21] the Athenians as ἄνδρες Ἀθηναῖοι in the first four *Leuctran Orations*,[22] the Thebans as ἄνδρες Θηβαῖοι in the two speeches *To the Thebans: Concerning the Alliance*.[23] Although it cannot be denied that such appeals are steeped in the classical rhetoric tradition, the fact that this formula applies to the crowds that actually gathered to listen to these speeches makes us wonder whether it was just a rhetoric *topos*. These appeals to the audience reinforced the self-awareness of the communities. Still, one may have some doubts about who listened to a *rhetor* like Aristides or Dio. It is legitimate to wonder whether orators delivered their speeches before the gathering of all citizens, as their way of addressing the audience seems to imply, or if they addressed only restricted groups. These may be the members of the *boule*, or the *gerousia*, who gathered in one of those beautifully adorned, at times exceedingly spacious, *bouleuteria* that grace most of the Greek cities in Roman times.

Depending on the topic, it is possible to conjecture when the *rhetores* addressed a restricted part of the citizen body, let's say the decision-making elite, or spectators who paid a fee to be entertained on various topics, be they locals and citizens or foreigners in transit, or else the wider citizen group of a polis. Unfortunately, the *rhetores* themselves did not leave many explicit references as to who made up their audience. But I would argue that the surviving orations were addressed mainly to the whole citizen body. Some of them, like Dio's *First Tarsic Discourse*[24] and most of the discourses on 'classical' themes, fall into the category of oratory for entertainment and were offered on special occasions by the leading elite to the whole civic body. I will now move on directly to the first and last categories of speeches, i.e. the speeches delivered to one part or to

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21 Ael. Ar. *Orat.* 32.399, 400, 401, 405.

22 Ael. Ar. *Orat.* 33.411, 413, 425, 426; 34, 435; 35, 448; 36, 476.

23 Ael. Ar. *Orat.* 38.477, 481, 486, 488; 39. 491, 499, 500, 502, 503, 504.

24 D. Chr. 33.

the whole of the citizen body, of interest here as they were addressed to people because of their citizen status.

An example of speech directed towards a restricted part of the citizen body is Dio's oration *To the Apameans on Concord* in which he directly addressed the *boule*: ὦ βουλὴ καὶ τῶν ἄλλων οἱ παρόντες οἱ μετριώτατοι.[25] "Members of the Council and you other most fair-minded gentlemen here present".[26] Also other discourses on urgent political matters, such as Dio's *To the Nicomedians on Concord with the Nicaeans*,[27] or the one delivered in his native city *On Concord with the Apameans*, and Aelius Aristides' *Rhodian Oration*,[28] were most probably given before the *boule*. Discourses such as Dio's *Address of Friendship for his Native Land on its Proposing Honours for him*[29] or his *In Defence of his Relations with his Native City*,[30] in response to a decision of the *boule* or as a way of defending himself before the same city council, are clearly speeches intended for the ruling elite. By contrast, the category of speeches addressing all citizens includes orations like Aristides' *Oration to the Rhodians on Concord*.[31] There the *rhetor* mediates between the two parts of the civic community, the elite and the ordinary citizens. In addition, eulogies such as the *Panathenaic Oration*[32] must have also addressed a broader public.

To sum up, from the use of the formula *andres* + ethnic adjective we can deduce the following about citizens as a descent group. First of all, the formula was deeply rooted in the rhetoric tradition and therefore it is often no indicator of who the audience actually was. The exact meaning has to be determined for each oration. Secondly, it often implies an effective restriction of the citizen body to its active parts, such as the *boule* or the *gerousia*. In fact, in orations dealing with important matters, this formula concerned almost exclusively the groups of people involved in decision-making. Here we can include formulae such as ἄνδρες Νικομηδεῖς.[33] and ἄνδρες Προυσαεῖς,[34] etc. Thirdly, this restriction in meaning had not been completed by the second century AD, as there

25 D. Chr. 24.
26 Translated by H. Lamar Crosby.
27 D. Chr. 21.
28 Ael. Ar. *Orat.* 43.
29 D. Chr. 27.
30 D. Chr. 28.
31 Ael. Ar. *Orat.* 44.
32 Ael. Ar. *Orat.* 13.
33 D.Chr. 21.1, 5, 7, 21, 29, 38, 44.
34 D.Chr. 26.12.

are still instances in which it encompasses the entire citizen body.[35] Fourthly, although the political content of such formulae had already diminished, we can safely assume that the syntagma still conveyed a deep feeling of belonging to one's homeland, so poignantly illustrated by Dio's case: though he had strong citizen-ties with other Bithynian cities like Nicomedia, and Apamea,[36] he never uses ἄνδρες πολῖται when delivering a speech before these communities. It only appears in his lectures before the Prousians, and Prousa was his hometown.[37]

One particular case, that of the Pontic city Olbia/Borysthenes, attested both literary and epigraphically, sheds further light on citizens as a descent group. As it happens, the citizens of this particular polis are known under two ethnic denominations. One, Ὀλβιοπολίτης, based on the actual name of the polis, is most common in the decrees issued by the polis,[38] and in honorific decrees celebrating benefactors from Olbia.[39] Outside of Olbia, the ethnic name Βορυσθενίτης as applied to citizens from Olbia seems to be quite common. It appears in private inscriptions[40] as well as in the name of people coming from the town.[41] Dio Chrysostom also uses the same ethnic denomination in his speeches, when referring to the Pontic polis and its inhabitants.[42] Indeed, the evidence is scanty and spread over a long time lapse. We can presume, nonetheless, that, officially, the citizen group identified itself as *Olbiopolitai*, whereas in the rest of the Greek world, outside the official context, they were known under the ethnic name derived from the major topographic landmark, i.e. *Borysthenitai*. The choice of ethnonym is meaningful, as the former points to the "Greekness" of the citizens, while the latter stresses their borderline status as both Greeks and barbarians. In fact they are called by a name which is derived from the distant region rather than the polis.

If we regard citizen-communities as interest groups, according to Davies' distinction mentioned before, however, we see that the group is not as com-

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35 See, for example, the use of ὦ ἄνδρες Ῥόδιοι and the fictitious address to the contemporary Lesbians, ἄνδρες Λέσβιοι, in Ael.Ar. *Orat.* 44.557, 564, 565 and 570, or that of ἄνδρες Ἀλεξανδρεῖς in D.Chr. 32.86, of ἄνδρες Ταρσεῖς in D.Chr. 34. 1, 7, 37.

36 Jones (2012) 214–218.

37 Cf. D.Chr. 23.1; 27.1; 28.1.

38 E.g. *I.Olbia* 5, 6, 7, 9, 14, dated in the Hellenistic period.

39 *IK Byzantion* 3, see below.

40 *FD* III, 3, 207—from Delphi dated 252/1 BC; *SEG* 39, 568—from Amphipolis, dated 4th century BC.

41 See the case of the philosopher Bion, known as Βίων Βορυσθενίτης.

42 D.Chr. 19.

pact as the descent group. One example: as an interest group, citizens periodically received money in public distributions, *dianomai*, a Hellenistic practice that continued under the Roman Empire. From the second century AD onwards these distributions, in the majority of cases connected to euergetic acts, became more frequent and they were often apportioned according to adhesion to political groups rather than based on citizenship alone. These uneven distributions were not an innovation developed under Roman rule, but, as Patrice Hamon[43] has shown, they date back to the Hellenistic practice of euergetism, in which specific parts of the civic body were favoured in benefactions. In the decrees of the second century AD, membership of the *boule*, of the *gerousia* etc. could give individuals more rights to be recipients of donations, as attested by the three successive money distributions in the Pamphylian town of Syllion over the course of the second century AD, offered by Megacles, and his mother, Menodora.[44] What seems to matter in these cases is the degree of political participation /distinction of each member of the civic body. An inscription from Histria,[45] dating from the second half of the second century AD, relatively well-preserved, implies that it is impossible to draw more general conclusions from these cases. The decree, honouring the priestess of Cybele *en titre*, Aba, for her multiple benefactions to the city, includes in the second half a list of her distributions (ll. 25 to 45). As in the case of Megacles, Aba's distributions are unequal, but this can be explained only in part through the different degrees of political participation among citizens. The members of the *boule* and of the *gerousia* belong to the first class of beneficiaries, i.e. those who receive money, while the representatives of the *phylai* fall into the second class, and they receive only wine distributions. However, as well as the members of the elite, the first class also includes professionals (physicians, teachers), members of religious fraternities (Ταυριασταῖς), and individuals chosen by Aba herself (καὶ τοῖς ἰδίᾳ καὶ ἐξ ὀνόματος καλουμένοις). Likewise, the second class also includes professionals (singers and carpenters), members of another fraternity (Ἡρακλειασταῖς), as well as people who live on the sacred road (ἱεροπτείταις). This final category seems to indicate that the category of persons included depended at least partially on the particular type of event celebrated. This one is related to the cult of Cybele, and, indeed, association with the goddess accounts for some of the professional categories involved.

43 Hamon (2005) 123–130; also Heller (2009) 356.

44 *IGR* III, 800; *IGR* III, 801; *IGR* III, 802.

45 *IScM* I, 57.

Despite the unequal character of the distribution of money or food among citizens, distributions were usually approved by the *boule* and by the assembly (ἡ βουλὴ καὶ ὁ δῆμος). Formally, citizenship was never divided into different degrees. It remained the sole criterion that granted access to the political life of the polis and the first criterion that entitled people to be the recipients of distributions.

What does all this say about the social identity of the masses? First of all, the fact that in the obsolete language of public decrees, the institution of the *demos* was never abolished speaks at least of an artificial preservation of this collective identity. In other words, the label P designating citizens of P *polis* was never eradicated, so it could provide, upon specific occasions, the grounds for solidarity and shared identity. This closely mirrors the use of the formula *andres* + personal adjective of the polis in rhetorical language, as we have just seen. Secondly, the *demos* was entitled, precisely on the grounds of its citizen status, to public distributions. In this respect we should ponder on a line, sadly partially lost from Aba's decree: παρεπιδημούντων τινῶν τῶν τε π[ερὶ τὸν] δῆμον δυναμένων καὶ τοῦ πλήθους ὡς ε [...] 'of those who live alongside the citizens and the multitude of ...', where the *demos* is distinguished from foreign residents. Recovering the rest of the sentence would have helped us to understand more clearly who the groups excluded from public distributions were. Were they poor citizens, or more likely, were they another class of inhabitants, possibly those deprived of political rights such as foreigners and slaves? Thirdly, the increasing number of donations,[46] partially public, partially private in their nature, points to the fact that, on the whole, the communities felt the need to make up for the exclusion of a part of the citizen body from the political administration of the city. In order to maintain or recreate a shared identity, the elite had to invest in other forms of participation—of which public distributions are an example—ensuring the cohesion and sense of common membership in the civic body.

From the analysis of the two main official discourses of the polis—i.e. public speeches and public decrees—in the imperial period, we can draw a rather coherent image of the citizen body. The discourse of the public decrees proves that citizenship was the basis of political life. The drastically reduced political role of the citizens, also obvious from these texts, was compensated by the creation of other forms of shared interests, among which the economic aspect is salient. Similarly, the perspective conveyed in the works of the *rhetores* reaffirms the role of citizenship as the basic principle of political life, while at the

46 For the epigraphic dossier, see Ferrary and Rousset (1998) 299–301.

same time betraying its decaying state. The sense of belonging to a community and the attachment to one's homeland, *patris*, or, as it appears in legal texts, *origo*,[47] are called upon by *rhetores* to reinforce the social identity of the citizens as a group. Dio Chrysostom's case illustrates this situation convincingly.

I will now move on to another aspect, that is, the manner in which local citizenship coexisted with the widespread practice of accumulating citizenships in the Greek cities of the Roman East.

3 Multiple Citizenship and Individual Identity in the *poleis* of the Graeco-Roman East

Local citizenship, as we have seen, still played its role in the public life of the city. However, by the second century AD, an increasing minority could flaunt the granting of citizenships from *poleis* other than their own. This minority gathered together well-connected and wealthy aristocrats, rich merchants, as well as a heterogeneous group that included famous and respected *rhetores*, physicians, architects and artisans, athletes and other performers, whose common denominator was the fact that they were all professionals. These granted *politeiai* were not just honorific: they entailed, as Philippe Gauthier[48] warned us, also important benefits for their holder. In what follows, I will try to offer a few possible answers to the questions that immediately come to mind when faced with the reality of double or multiple citizenships: what purpose did they serve? Since the practice of seeking and acquiring multiple citizenships is usually attested in funerary or honorary inscriptions, I will focus on how some chose to represent themselves, and how they constructed their own public *persona*.

3.1 *The Elite and Its Use of Multiple Citizenship*

The case of the Lycian magnate and benefactor Opramoas, with a minimum of eight recorded cities that had granted him citizenship,[49] offers a good starting point. Evoked on his funerary monument,[50] as well as on several honorary

47 *Dig*. 50.1.6.2 and 50.1.27, pr.; also Fournier (2012) 93.

48 Gauthier (1985) 150–176. On the Greek 'avarice' in awarding citizenship as opposed to Roman generosity, see Gauthier (1974) 207–215.

49 Corydalla, Myra, Patara, Xanthos, Tlos, Telmessos, Limyra and Phaselis, aside Rhodiapolis, his native town, see *TAM* II, 905, 578, 579, 907, 908, 915, 916, 1203; *FdXanth* VII, 66; *IGR* III, 704, 726, also Kokkinia (2012).

50 *TAM* II, 905—consisting of a selection of decrees, recommendations—*martyriai*—sup-

decrees issued by the cities he had assisted financially,[51] these citizenships are a straightforward indicator that they were integrated within a system of rewards and distinctions of the highest level. The Lycian towns record the granting of several citizenships to Opramoas at length[52] on stone, so that the passer-by would read it and be impressed. The listing of citizenships played a role in the process of show-casing the magnificence of the two sides involved: the magnate that had benevolently provided aid (as *euergetes*) to the city, and the city itself that rewarded him by including him in its restricted citizen body. J.A.O. Larsen notes that in Lycian decrees the syntagma πολίτης ἡμῶν 'our fellow citizen' could indicate ostentatiously an acquired secondary citizenship.[53] This is not always the case: Ctesicles, also known as Ctasadas the Second, is honoured publicly for holding numerous offices in the name of his sons in Idebessos.[54] The Lycian town is clearly his homeland, as neither him nor his wife and sons have an ethnonym attached to their names. Ctesicles is singled out by his own and his ancestors' prominence among the Idebessians, and by his position in the province: ἀνὴρ γένει καὶ ἀξίᾳ πρῶτος τῆς πόλεος ἡμῶν, ἐπίσημος δὲ καὶ ἐν τῷ ἔθνει, 'man foremost by ancestry and virtue of our town, remarkable also in the nation'. In this case, the fact that Ctesicles can trace his lineage back over several generations among citizens of Idebessos is signalled as an honour for the city along with the fact that he was renowned throughout the entire Lycian region (*ethnos*).

Let us return to Opramoas' case. The Lycian magnate points out some aspects that seem to apply to members of the elite from different provinces of the Greek East. The listing of citizenships in his honorific decrees is a way of mapping the extent of his influence and social networks. We find, for example, the formula/title πολειτευσαμένος δὲ καὶ ἐν ταῖς κατὰ Λυκίαν πόλεσι πάσαις,[55] "having citizenship in all the cities of Lycia", that clearly pins down geographically the magnate's wider influence.[56] The title is a testimony to the public of its holder's civic prominence in Lycia. It bears a greater weight than the praises commonly in use in this kind of decrees, such as "ἐπίσημος δὲ καὶ ἐν τῷ ἔθνει" "illustrious in the whole *ethnos*" in the Ctesicles decree mentioned above.

porting Opramoas' claim to pre-eminence in Lycia before the emperor, and official letters, see Kokkinia (2000).

51 E.g. *TAM* II, 578–579—Tlos; *TAM* II, 1203—Phaselis; *FdXanth* VII, 66—Xanthos.

52 E.g. 4 lines out of 19 on the Xanthian decree just mentioned.

53 Larsen (1957) 14, 21. On the Lycian League, see Behrwald (2000) and Behrwald (2015).

54 *TAM* II, 838.

55 E.g. *TAM* II, 905, ll. 64–65.

56 Larsen (1957); Kokkinia (2012).

Another rather unique epigraphic sample, issued by the Doric polis of Byzantion and discovered in Olbia, similarly illustrates the practice of representing oneself as a benefactor on a regional scale. In this decree,[57] dating from the mid-1st century AD, the city of Byzantion honours Orontas, son of Ababos, citizen of Olbia, for his Pontic-wide benefactions. Admittedly, Orontas and his father are praised as citizens of Olbia, Ὀλβιοπολείτας, but the inscription only mentions, moreover, the granting of Byzantine citizenship to Orontas and his offspring. In addition to that, there is a phrase that evokes the broader context, the Pontic-wide stage of Orontas' interventions: ἀνδρὸς οὐ μόνον τᾶς πατρίδος, ἀλλὰ καὶ σύνπαντος τοῦ Ποντικοῦ πρατιστεύσαντος ἔθνεος 'man foremost not only in his homeland but also among the whole Pontic *ethnos*'. This formula is not a title. In the inscription from Idebessos, the phrase appears in the opening of the decree, alongside other recognitions received by Ctesicles and his son and it applies to the father, but it is integrated also in his son's credentials.[58] In the decree for Orontas, by contrast, the status of 'first', which usually implies 'among fellow citizens', covers both the *patris* and the *ethnos*. Therefore, even more clearly than in the decree honoring Ctesciles, it does not indicate only civic prominence, but also a higher recognition on a broader scale, i.e. the Pontic *ethnos*. Given the local specificity of the Lycian titles,[59] and the differences between Lycia and the Pontic region, I will not push the parallels further. It suffices to say that, during the Imperial period, claims to civic prestige at a regional level were often made by members of the elite and that these claims were often showcased through the accumulation of citizenships from different *poleis*.

One other aspect exemplified by Opramoas' case is that the choice of ethnonyms on display may emphasize a special connection to a city or a region. As Christina Kokkinia[60] has recently suggested, Opramoas' preference in later years for the double ethnic denominations Ῥοδιαπολείτης καὶ Μυρεύς, may be due to a deliberate choice to highlight his ties locally, through connection with his fatherland, Rhodiapolis, and the main city of the area of Lycia he came from, Myra. By contrast, in the early years of his career, the presence of the ethnic designations of this father- and mother-lands, Ῥοδιαπολείτης καὶ Κορυδαλλεύς, should be explained by the need to strengthen his connections to his hometown Rhodiapolis and to the nearby Corydalla, home to his mother and her significant fortune, where he also held office.[61]

57 *IK Byzantion* 3, see Cojocaru (2010); Dana (2012) 262–263.

58 καὶ αὐτὸς ὥσπερ τὰ λοιπὰ τοῦ πατρός 'and him himself like his father for the rest'.

59 See most recently Kokkinia (2012) 332.

60 On Lycian titles, see Kokkinia (2012) 337–338.

61 *TAM* II, 905.

Cases of multiple citizenship holders can also be found in literary records. Depending on the specific context, Dio Chrysostom recalls, in his speeches, one or another of his Bithynian citizenships.[62] As for Arrian of Nicomedia, it is possible to sketch an analogous path to that attested by the epigraphic dossier of Opramoas. By piecing together the scraps of information available for Arrian, for the most part autobiographical, and complementing it with epigraphic material, one can reconstruct his biography: a Roman citizen by birth, as the name seems to imply,[63] Arrian probably started his career by assuming office in Nicomedia, his *patris*.[64] Later on, he directed his attention to the imperial scene, and, in doing so, he availed himself of Roman citizenship, obtaining the consulate in AD 129.[65] Sometime afterwards, he moved to Athens where he and his descendants are listed in the epigraphic records.[66] He received Athenian citizenship as he is registered in the Paiania *demos* and he assumed the office of eponymous archon.[67] The evidence finds support in his later work, where he defines himself as Athenian.[68]

3.2 *Professionals as Beneficiaries of Multiple Citizenship*

Whereas for the members of the elite, multiple citizenships were mostly used as a sign of distinction, signalling their holders' influence, prestige and connections in several cities, ordinary citizens, often professionals, sought them for more practical reasons.

I have already mentioned at various points the illustrious multiple citizen-status of Dio Chrysostom.[69] His case is most appropriate in this section, since the orator himself says that he received different *politeiai* by virtue of his profession as a counsellor.[70] His is, of course, not the only example: a funerary inscription, dated late second to early third century AD, from the Moesian city

62 E.g. D.Chr. 21.1—Nicomedia, 24.6—Apamea.

63 Syme (1982) 184.

64 See the biographical material in Photius, *Bibliotheca*, cod. 92, most likely a periphrasis on the introduction to the lost work *Bithynica*.

65 Degrassi (1952) 181.

66 *SEG* 30,159, 1; *IG* II², 2055; *SEG* 26, 171; *IG* II², 1773; *IG* II², 1776; *IG* II², 4251/3.

67 Cf. *IG* II², 2055; *SEG* 26, 171.

68 Arr. *Cyn.* 1.4–5.

69 Also Jones (2012).

70 E.g. D. Chr. 21.1. Cf.: Publius Aelius Antoninus Crispinus Metritimos, honoured as *rhetor* by a statue erected at Olympia, singled out in the inscription by his citizen status in Antiochia near Daphne, probably his *patris*, and in Cyzicus (*IvO* 463). Information on this *rhetor* is too scanty to allow any assumption about how he got his citizenships and what use he derived from them. Cf. also Puech (2002) 186–187.

of Tomis mentions an artisan, Pontianus, goldsmith or architect (or both?),[71] whose first ethnonym is lost. Pontianus was not a citizen of Tomis by birth but he received Tomitan citizenship and became a member of the tribe of the *Aicoreoi*. He probably settled in Tomis, where he also died. Further insights into the practice of granting citizenship to professionals is provided by a decree from Olbia, dated AD 198, which commemorates the construction of the public baths in honour of the emperors Caracalla and Geta.[72] In the final part of the inscription, unfortunately with the last lines missing, the architect is mentioned. The name is lost, but the final sentence tells us that he came from Nicomedia, and, at that time, he had Tomitan citizenship (ἀρχιτεκτονοῦντ[ος τοῦ δεῖνος τοῦ δεῖνος], Νεικομ[ηδέως] τοῦ καὶ Τομείτ[ου). Most probably, he had lived and worked in Tomis, where he received his citizenship, before finding work in Olbia. His citizenship-record and his profession suggest that he used his Tomitan citizenship and local connections to find a job in Olbia.[73] We find him mentioned as the chief architect in one of the major construction works in that city.

In some cases, citizenship was conferred as a prize in competitions. Nothing illustrates this situation better than the case of the actor Titus Iulius Apolaustos, citizen of no less than seven *poleis*: πολίτην Ἀντιοχέων τῶν πρὸς Δάφνην, Ἐφεσίων, Ζβυρναίων {Σμυρναίων}, Κυζικηνῶν, Τρωαδέων, Σαρδιανῶν καὶ ἄλλων πολλῶν πόλεων.[74] The list of the cities appears on two honorary decrees along with other recognitions received by the actor, one discovered in Delphi, and the other, dated AD 180/192, is from Ephesus. Considering the impressive number of recognitions he received, Apolaustos must have been very popular at this time, and the list of *politeiai* was the proof of such popularity.

In a world where social relations and solidarity ensured success and, ultimately, the life of the individual, citizenship, which gave access to important social networks, could also help ordinary people from abroad to integrate in a new community and find work. Some cases recorded in peripheral areas of the empire of professionals from more centrally-located places may shed light on this aspect. In fact, among Olbitans, Tomitans, and Histrians, it is not rare to find professionals from abroad. In the second or first century BC a certain Diocles, son of Artemidoros, from Cyzicus is granted Histrian citizenship as a reward for his work as a public physician at Histria.[75] We cannot know if

71 χρυσοχόος Λ[...] [ἀρχι]τεκτόνω[ν, see *IScM* II, 253, Dana (2012) 257.

72 *IosPE* I², 174.

73 Also Dana (2012) 257.

74 *FD* III 1, 551; *Ephesos* 1221, also Hijf (2012) 188.

75 *IScM* I, 26. The inscription is however earlier than the other inscriptions we mentioned.

Diocles decided to settle there and become a local as the above-mentioned Pontiatus did. Sometimes professionals only stayed for a while and then moved on once a better job was secured, as the case of the Nicomedian architect with Tomitan citizenship working at Olbia suggests. Citizenship did help to enlarge social networks and this holds true for both elites and ordinary people alike.

4 Representation of Multiple Citizen-Status on Public Statues

At this point, I would like to briefly discuss how multiple citizenship was "visually represented", a question that brings together the initial discussion of citizenship as a form of social identity and the above-mentioned impact of multiple citizenships upon individual identity.[76] I will use as evidence a dossier of sculptural monuments found in their original location, and discuss how they displayed the public *personae* of those who commissioned them. In what follows, I will draw largely upon R.R.R. Smith's excellent studies and dossiers.[77]

As Smith has convincingly argued, in the coded language of sculpture, clothing strongly reflects social and political status. During the second century AD, the standard representation of the Greek citizen consisted in the civilian *himation*-suit, with a tunic, associated with a standing position.[78] On the other hand, the toga 'signified simply and forcefully Roman citizenship', as Smith[79] puts it.

It is worth noting the link between the two different citizenships, Aphrodisian and Roman, displayed by a complex of two statues erected in Aphrodisias around the mid-late second, or early third centuries AD (see images on p. 130 and p. 131) and their inscriptions. The statues represent the local notables L. Antonius Claudius Dometeinus Diogenes and his niece Claudia Antonia Tatiane, both holders of priesthoods and of Roman citizenship. They are located on either side of the main doors of the city's council building, the *bouleuterion*. The two figures wear Greek outfits, with pronounced citizen-traits in the statue of Dometeinus, represented standing in a *himation* suit, in the arm-sling posture, supported by a box of scrolls behind his feet, and wearing

76 On representation of identity in the Graeco-Roman East, see also Coşkun-Heinen-Pfeiffer (2009).

77 Smith (1998) and (2006). For represention of civic identity on statues of the Hellenistic age, see Ma (2013).

78 Smith (1998) 64.

79 Smith (1998) 65.

a trimmed beard, longer hair—indicating the priesthood—and the crown of the imperial cult. From the inscription, we know that Dometeinus was father of two Roman senators.[80] His niece, Tatiane, wears a mantle over a sleeved blouse or dress, perhaps a reference to Aphrodite, of whom she was priestess.[81] The two inscriptions that accompany the statues insist almost exclusively upon their Roman statuses,[82] that is, the senatorial rank of Dometeinus' sons and the equestrian rank of Tatiane's family and her kinship with the senators, sons of Dometeinus.

The two identities, i.e. the Greek Aphrodisian one betrayed by the outfit, and the Roman one emphasized in the inscriptions are almost completely separated. Indeed, the finding of the statues in their original archaeological context, with the corresponding inscriptions, places them in clear relation with one another and with the civic building whose façade they adorned—the city council. Otherwise, it would have been impossible to guess that the statue representing a clearly 'local, civilian, well-lettered, reserved, rhetorically capable'[83] man was that of a *nomothetes* who took most pride in his senators' sons. Placed at the entrance of the *bouleuterion*, the heart of the civic life of the polis, the local identity of the two figures is obviously the most salient feature on display in the monumental complex. Dometeinus and Tatiane stand out visually as prominent citizens of Aphrodisias. The inscriptions, however, present them as Roman citizens, members of the elite, closely related to, or belonging to, one of the two Roman *ordines*. This complex splendidly illustrates the role Roman citizenship and membership in the *ordines* played in the Roman East: they singled out their holders, distinguishing them among their peer and fellow citizens. Ultimately, the monument was intended for the Aphrodisian public whose citizens had to recognize Dometeinus and Tatiane as their fellow citizens and respect them for acquiring their high foreign status and distinction.[84]

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80 Smith (1998) 67. Cf. Smith (2006) 174.

81 Smith (1998) 68.

82 *Aphrodisias* 233, 290. Mylonopoulos (2013) 138–139 also notes that the honorary inscription does not mention the priestly function of Dometeinus and he speaks of a discrepancy between statue and inscription. According to Smith (1998) 68 such function was obvious. On representation of priestly functions on statues in the Hellenistic and Roman period, see Horster-Klöckner (2013).

83 Smith (1998) 67.

84 Unfortunately, the cases in which statues are found *in situ* and their relation to the archaeological context is clear are rare. We could add to the list Celsus' library in Ephesus, Herodes Atticus' *nymphaeum* at Olympia, Philopappus' funerary monument in Athens,

5 Conclusions

At the end of this survey, we can draw some conclusions as to the practice of accumulating multiple citizenships. First of all, the situation outlined by the examples cited above reflects the total suppression of an important characteristic of citizenship, be it Roman or Greek, that of exclusivity, completed by the second century AD. While in the Late Republic Cicero claimed that *ne quis nostrum plus quam unius ciuitatis esse possit* 'no one of our people can be a citizen of more than one city',[85] and, much earlier, Aristotle defined the citizen-status as participation in justice and rule (πολίτης δ' ἁπλῶς οὐδενὶ τῶν ἄλλων ὁρίζεται μᾶλλον ἢ τῷ μετέχειν κρίσεως καὶ ἀρχῆς 'A citizen pure and simple is defined by nothing else so much as by the right to participate in judicial functions and in office'),[86] by the second half of the second century AD these views no longer matched the current practices of citizenship. Aelius Aristides praised Romans for their pragmatic use of granting citizenship, which allowed it to coexist with local citizenships in the Greek *poleis* and the duties and rights that they entailed, as his own case shows.[87]

Secondly, the implications of citizenship followed a complex trajectory, which was shaped by both local factors and by the changes brought about by the Roman conquest alike. Inter-community marriages and the spread of the treaties of *epigamia*, the institutionalization of euergetism from the Hellenistic period onwards, the contemporary widespread practice of employing external judges and rewarding them by grants of citizenship[88] are but some of the factors that affected the institution and concept of citizenship in the Greek East during the first two centuries of Roman rule. The granting of Roman citizenship, conferred more easily than citizenship in a Greek polis, which the Greek Dionysios of Halicarnassus[89] admired and praised, created a precedent for double citizenship. But the decisive factor that enabled the accumulation of citizenships in different *poleis* in the Roman East was the fact that the political life of the Greek cities under Roman rule was limited to the administration of their internal affairs. Since the cities could no longer—or hardly ever—wage

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also discussed in Smith (1998) 70–79. In the case of Philopappus' monument, Athenian status is celebrated alongside his royal Graeco-Macedonian-Syrian descent, but in sharper contrast with his Roman status.

85 *Balb.* 13.31, translated by C.D. Yonge; also *Leg.* 2.2.5. Cf. Carlà-Uhink's paper in this book.

86 Aristot. *Pol.* 3.1275a, translated by H. Rackham.

87 *Orat.* 14.213.

88 Heller and Pont (2012) 10–11.

89 *AR* 1.9.4.

war against one another, the issue of loyalty and exclusive membership in only one polis lost its importance.

Citizenship was conferred upon by state decree, discussed in the assembly and sanctioned by the *boule*.[90] However, if the beneficiary decided to exercise the rights that came with it, this could lead to complications: Julien Fournier explores[91] the legal problems that could derive from the simultaneous exercise of two citizenships. More probably, multiple citizenships were sought after for the prestige and privileges they conferred. Roman citizenship was indeed the most valuable, for it offered the right to avoid local trials, a fact that even ordinary people, like veterans, could benefit from. Paul of Tarsus' use of his Roman citizenship is well-known in this respect.[92] Far more important advantages were access to imperial offices and to the *cursus honorum*. Herodes Atticus, Arrian of Nicomedia and Claudius Charax of Pergamum are but some of the most illustrious Greeks to have reached the consulate. In some cases, although this was not regular practice, as A.N. Sherwin-White has shown,[93] the granting of Roman citizenship included immunity from taxation. Even Greek citizenship proved useful to avoid taxes, as Aelius Aristides' case illustrates.[94] But it was not until the universal granting of Roman citizenship with the *Constitutio Antoniniana* of AD 212 and the establishment of the priority of the *origo* over the *domicilium*[95] in claiming the *munera* from citizens, that this legal issue concerning taxation was resolved.

There is, however, one last thing that we should bear in mind whenever we come across listings of citizenships. The impression that these lists served mainly to indicate political influence and prestige is partially due to the nature of our sources. Most of the evidence comes from funerary or honorary inscriptions, which, by their nature, retain only laudatory aspects, and testify to exchanges of mutual generosity between the two parts involved. This applies both to benefactors like Opramoas, and to the numerous cases of victorious athletes discussed by Hijf,[96] for which grant of citizenship come as prizes in competitions together with the award of crowns and statues. In short, while participatory citizenship generated collective identities, the enumeration of multiple citizen-statuses seems to reflect a desire to affirm one's singularity.

90 Gauthier (1985) 197–206.

91 Fournier (2012).

92 Mentioned in various places, e.g.: *Acts* 22.27–29—escapes torture; 25.8–12 asks for trial in Rome.

93 Sherwin-White (1973) 248, 272–277, 291–306, 336, 390–394—on the *Tabula Banasitana*.

94 Ael.Arist. *Orat.* 26. 338, cf. Bowersock (1969) 26–40; Fournier (2012) 90–91.

95 *Dig.* 50.1.17.4; Fournier (2012) 94.

96 Hijf (2012) 183.

Bibliography

Appiah, K.A. 2005. *The Ethics of Identity*. Princeton.

Behrwald, R. 2000. Der lykische Bund: Untersuchungen zu Geschichte und Verfassung—Bonn.

Behrwald, R. 2015. The Lykian League. In *Federalism in Greek Antiquity*, eds. H. Beck and P. Funke. 403–418. Cambridge.

Birley, A.R. 1997. Hadrian and Greek Senators. *ZPE* 116: 209–245.

Blok, J. 2013. Citizenship, the Citizen Body, and its Assemblies. In *A Companion to Ancient Greek Government*, ed. J. Blok, 161–175. Chichester.

Bowersock, G. 1969. *Greek Sophists in the Roman Empire*. Oxford.

Cojocaru, V. 2010. Von Byzantion nach Olbia: Zur Proxenie und zu den Außenbeziehungen auf der Grundlage einer Ehreninschrift. *Arheologia Moldovei* 32: 41–56.

Coşkun, A., H. Heinen, S. Pfeiffer, eds. 2009. *Repräsentation von Identität und Zugehörigkeit im Osten der griechisch-römischen Welt*. Frankfurt.

Dana, M. 2012. Pontiques et étrangers dans les cités de la mer Noire: le rôle des citoyennetés multiples dans l'essor d'une culture régionale. In Heller—Pont (2012) 249–266.

Davies, J.K. 1978. Athenian Citizenship: The Descent Group and Its Alternatives. *CJ* 73: 105–121.

Degrassi, A. 1952. *I Fasti consolari dell'Impero romano dal 30 avanti Cristo al 613 dopo Cristo*. Roma.

Demougin, S. 1999. L'ordre équestre en Asie Mineure. Histoire d'une romanisation. In *L'ordre équestre. Histoire d'une aristocratie* (*Ier siècle av. J.-C.–IIIe siècle ap. J.-C.*), eds. S. Demougin, H. Devijver and M.-T. Raepsaet-Charlier. 579–612. Roma.

Ferrary, J.-L. and D. Rousset. 1998. Un lotissement de terres à Delphes au IIe siècle apr. J.-C. *BCH* 122.1: 277–342.

Fournier, J. 2012. L'essor de la multi-citoyenneté dans l'Orient romain: problèmes juridiques et judiciaires. In Heller—Pont (2012) 79–98.

Gauthier, Ph. 1974. «Générosité» romaine et «avarice» grecque: sur l'octroi du droit de cité. In *Mélanges d'histoire ancienne offerts a William Seston*. 207–215. Paris.

Gauthier, P. 1985. Les cités grecques et leurs bienfaiteurs (IVe–Ier siècle avant J.-C.). Contribution à l'histoire des institutions. *BCH* Suppl. 12: 1–236.

Hamon, P. 2005. Le Conseil et la participation des citoyens: les mutations de la basse époque hellénistique. In *Citoyenneté et participation à la basse époque hellénistique*, eds. P. Fröhlich and Ch. Müller. 121–144. Génève.

Heller, A. 2009. La cité grecque dépoque impériale: vers une société d'ordres. *Annales. Histoire, Sciences Sociales* 64: 341–373.

Heller, A. and A.-V. Pont, eds. 2012. *Patrie d'origine et patries électives: les citoyennetés multiples dans le monde grec d'époque romaine*. Bordeaux.

Heller, A. and A.-V. Pont. 2012. Introduction. In Heller—Pont (2012) 9–22.

Horster, M. and A. Klöckner eds. 2013. *Cities and Priests. Cult Personnel in Asia Minor and the Aegean Islands from the Hellenistic to the Roman Period*. Berlin—Boston.

Ma, J. 2013. *Statues and Cities: Honorific Portraits and Civic Identity in the Hellenistic World*. Oxford.

Mylonopoulos, J. 2013. Commemorating Pious Service: Images in Honour of Male and Female Priestly Officers in Asia Minor and the Eastern Aegean in Hellenistic and Roman Times. In Horster and Klöckner (2013) 121–145.

Nijf, O. van. 2012. Athletes, Artists and Citizens in the Imperial Greek City. In Heller—Pont (2012) 175–194.

Jones, C.P. 2012. Joys and Sorrows of Multiple Citizenship: The Case of Dio Chrysostom. In Heller—Pont (2012) 213–221.

Karolewski, I.P. 2010. *Citizenship and Collective Identity in Europe*. London.

Kokkinia, C. 2000. *Die Opramoas-Inschrift von Rhodiapolis. Euergetismus und soziale Elite in Lykien*. Bonn.

Kokkinia, C. 2012. Opramoas' citizenships: The Lycian *politeuomenos*-formula. In Heller—Pont (2012) 327–340.

Larsen, J.A.O. 1957. Lycia and Greek Federal Citizenship. *SO* 33: 5–26.

Laurence, R. 1998. Introduction. In *Cultural Identity in the Roman Empire*, eds. R. Laurence and J. Berry, 1–9. London.

Puech, B. 2002. *Orateurs et sophistes grecs dans les inscriptions d'époque impériale*. Paris.

Sherwin-White, A.N. 1973. *The Roman Citizenship*. Oxford.

Smith, R.R.R. 1998. Cultural Choice and Political Identity in Honorific Portrait Statues in the Greek East in the Second Century A.D. *JRS* 88: 56–93.

Smith, R.R.R. 2006. *Roman Portrait Statuary from Aphrodisias*. Mainz.

Syme, R. 1982. The Career of Arrian. *HSCP* 86: 181–211.

FIGURE 4.1 *Honorific statue of Lucius Antonius Claudius Dometeinus Diogenes. Aphrodisias, ca.* AD 200
PHOTO BY CAROLE RADDATO (CC BY-SA 2.0)

FIGURE 4.2 *Honorific statue of Claudia Antonia Tatiane. Aphrodisias, ca.* AD 200
PHOTO BY CAROLE RADDATO (CC BY-SA 2.0)

PART 2

Citizens and Non-citizens in the Roman World

CHAPTER 5

Citizens among Outsiders in Plautus's Roman Cosmopolis. A Moment of Change

Elena Isayev

Introduction

In the comedies of Plautus the local citizens are one of the groups who inhabit the city.[1] They may have certain rights and privileges that others do not, but they do not hold a special place in his narratives. Rarely does it matter whether the protagonist is, or is not, a citizen of the city where the story is staged. What matters most is whether he or she is free or slave. This is aptly expressed in the appeal of the slave Messenio, running to help his master, in the *Menaechmi*: "… An unworthy and evil crime, citizens of Epidamnus: my master's being dragged off in the street in broad daylight, here in a city that is at peace. He came to you as a free man!—*o facinus indignum et malum, Epidamnii cives erum meum hic in pacato oppido luci deripier in via qui liber ad vos venerit*."[2] Plautus's characters seek freedom and generic citizenship rather than citizenship of any particular state. This is unlike what we find in Greek New Comedy, especially the plays of Menander, which the Plautine corpus draws on. Within them, the status of citizen is all important. Not just being a citizen, but being a citizen of a particular city-state, usually Athens. In these Greek plays it is used to identify someone as the insider and to distinguish him or her from those who arrive from elsewhere. This may not be surprising, considering Athenian restrictive exclusionary citizenship, which was enhanced by its myths of autochthony.[3] However, even Athens, despite appearing exclusive, was an intensely cosmopolitan community. The majority of its inhabitants were probably foreigners.[4]

1 For a more extensive discussion of mobility in Plautus, see: Isayev (forthcoming), Chapter 6.

2 Plaut. *Men.* 1004–1006, translation by de Melo (2011b). See with commentary by Gratwick (1993) 231.

3 For Athenian claims of autochthony: Parker (1987); Rosivach (1987); Purcell (2004) 74–75. Horden and Purcell (2000) 384, also note that the Athenian tightly defined citizenship is one response to a highly mobile environment.

4 For the extent of foreigners in Greek *poleis*: Vlassopoulos (2007) 225; Adak (2003); Bäbler

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For Plautus there is less importance in contrasting the citizen with the foreigner, although whether one is an inhabitant or an outsider does matter. Within most of Plautus's extant plays a character coming from abroad is central to the plot, whether s/he is a foreigner or a family member returning home. This creates opportunities for comic scenarios, through their arrivals, absences and lack of local knowledge. It allows for elaborate schemes of deception, identity switching, and theft, as for example in the *Captivi* or *Poenulus*. The comedies subvert the position of being an outsider and insider. The *hospites* (guests), who are least familiar with their surroundings, or the *ignoti* (the unknown or strangers), become the agents of action and take on the role of their hosts. This is particularly evident in the case of the separated twins in the *Menaechmi*, one who lives in Epidamnus, and the other who arrives from Syracuse to search for his brother.[5] In some plays those who are local-born are hard to find, and in *Poenulus*, none are citizens of Aetolia, where the comedy is set.[6] Plautus's comedies show a particular interest in the multiple ways that outsiders relate to the city and community where the action takes place. This is best demonstrated by a passage from the *Aulularia*, which we will consider below. Such an interest is driven by the world beyond the plays, in which there was a greater attempt to fix status categories and distinguish between the many foreigners arriving on the shores of Italy, and heading for its great cosmopolis. What we may be witnessing in Plautus is a moment of change in the perception and status of insider and outsider at a time when Roman power was spreading across the Mediterranean.[7]

1 History and the Cosmopolis in Plautus

Before we delve further into the plays a small note about them as a historical source. Plautus's comic work is based on earlier New Comedy of the Hellenistic period (circa 325–250 BC), which provides the backdrop for the main action—set mainly in the Hellenistic maritime cities of the Eastern Mediterranean. Plautus's comedies, however, are not simple translations, nor even close adaptations of the original texts. They are products of his time and reflect

(1998); Osborne (2011) chapters 4–5; Osborne (2012). See also on the metic: Kasimis (forthcoming).

5 Other examples include: the courtesan from Ephesus taken to Athens in *Miles Gloriosus*; the shipwrecked Palaestra, who is the slave girl of Labrax in *Rudens*.

6 For lists of the main characters and their origins: Fantham (2004) 237–238.

7 For a wider context for this discussion see: Isayev (forthcoming).

Romano-Italian concerns and the societal frameworks within which he operated. These often combine a Greek backdrop and Romano-Italian customs. In the play *Persa*, 474–475, for example, there is a reference to increasing the citizen body by freeing a slave. This scenario could happen under Roman law, but not under Athenian law, where freed slaves did not become citizens.[8] While there is on-going debate about the extent to which Plautus altered the Greek originals, there is now sufficient evidence that the Plautine corpus was highly innovative,[9] and scholars have demonstrated its importance as a source for Romano-Italic history of the period.[10] It is true that Rome is never the setting for Plautus's comedies, as the whole point is that they are staged abroad. He consistently tells the audience that the plays are on foreign soil, *palliata*—in Greek dress, as in the prologue to the *Menaechmi:* "This story is quite Greek-ish, but to be exact, it's not Athen-ish, it's Sicil-ish, in fact."[11] The comment, however, has little to do with geography, and his 'Greeks' have few distinguishing characteristics.[12] There is nothing Sicil-ish about the two brothers, who are the protagonists in the *Menaechmi*, nor the Sicilian setting for the play. Plautus's imaginary settings, could be anywhere[13] and, arguably, any of the cities where the plays are set could easily be Rome.

At the time that Plautus was writing his comedies, at the end of the 3rd and the early 2nd century BC, Rome was rapidly becoming the main destination-cosmopolis for merchants, politicians, artists, craftsmen, scholars, slaves, entrepreneurs and others seeking opportunities. Their influence bothered the likes of Cato,[14] and we know that periodically some would be expelled, such as the *Chaldaei*, the astrologers, in 139 BC.[15] Such expulsions, however, were rare, and their force unclear. Outsiders and especially those who might be labelled Hellenes were so embedded in Roman society that they became a

8 Richlin (2005) 173.

9 Lefèvre (1991); Benz and Lefèvre (1998); Fraenkel (2007); more controversial views by Zwierlein (1990–1992). For a summary of previous scholarship: Lowe (2007) 113; Drevikovsky and Muecke (2007) xiv–xv.

10 Segal (1987): especially chapter 1. For topicality in Plautus: Harvey (1986); Gruen (1990); Leigh (2004). For an overview of the Plautine tradition: Manuwald (2011) 225–233.

11 Plaut. *Men.* 11–12: *atque adeo hoc argumentum graecissat, tamen non atticissat, verum sicilicissitat.*

12 Segal (1987) 37.

13 Gratwick (1993) 8–15, Gratwick (1982) 112–113.

14 Plut. *Cato Maior* 2.3–4. For the complexity of Cato's attitude to Greek culture and engagement with it: Champion (2004) 180–185; Cornell (2013), Vol. 1, 193–195, 209–210.

15 Val. Max. 1.3.2.

socio-political tool of the Roman authorities.[16] The Roman elites bought up Greek art, sought out Greek philosophy and learning, transferred libraries to Rome, and were keen to be part of the latest, Mediterranean-wide fashions.[17] Foreign tutors, and diplomats, such as Polybius, resided with Roman families.[18] Greek philosophers who came to Rome attracted large and vocal crowds.[19] The Plautine comedies themselves are an example of the proliferation of Hellenistic culture.

Of all the foreigners in Italy, the Hellenes are the most prominent in the ancient writings, and they are the most visible in our material evidence. But we must imagine outsiders from all parts of the Mediterranean. Even the Carthaginians, Rome's recent defeated enemies, would have had a presence in Italy. They are the main protagonists in Plautus's *Poenulus*, whose treatment of them is no different than that of other characters in his comedies. Carthage had long-term trading links and diplomatic relations with Rome before becoming Rome's enemy during the Punic Wars, which began in the mid-3rd century BC.[20] The Romano-Carthaginian treaties are a testament to their close relations, and the presence of both groups in each other's communities.[21] There is also some evidence that Punic culture left its mark in Italy: Cato and Varro mention Punic porridge,[22] and Punic windows, perhaps even the *macellum* has Punic roots.[23] There is a suggestion that Terence, the other Latin comic

16 Champion (2004) 58–61, 173–176, 180–183, 204–208.

17 For the proliferation of Hellenistic culture in Rome see the following for an overview and earlier references: Gruen (1990); Gruen (1992); Hölscher (1990); Coarelli (1997); Wiseman (2004) 13–36; Champion (2004) 67–99, 173–203; Wallace-Hadrill (2008) 17–28.

18 Polybius was a house-guest and tutor for P. Scipio Africanus: 31.23–25. Balsdon (1979): Appendix I, 54–58, lists the Greek and Greek-speaking scholars attached to prominent Romans.

19 Polybius 33.2.

20 Palmer (1997).

21 Polybius 3.22–28. There is rich evidence for the relationship both textual and archaeological: Palmer (1997); Erskine (2013) 113–129. For additional evidence of Carthaginian presence in Italy, see: Fentress (2013).

22 Cato *agr*. 85: *pultem punicam*. For a discussion of references to Carthaginians as porridge eaters—*pultiphagonides*, as suggested by the alternative title of the *Poenulus*, noted in its prologue, 54: Copley (1970).

23 For Punic style windows: Varro *rust.* 3.7.3; he also mentions a Punic cart: 1.52. Punic joints are noted by Cato *agr*. 18.9. Cic. *Mur*. 75, makes reference to Punic couches—*lectuli Punicani*. For the possible Punic origins of the *macellum*, and other influences: Palmer (1997) 43–48, 115–119. For a discussion of other 'punic' items see: Erskine (2013) 122.

playwright in Rome, came from Carthage.[24] In the audience, watching Plautus's plays, there may have been Carthaginians who would have understood the Punic speech delivered by the character Hanno in the *Poenulus*. Some may have been the hostages who were given to Rome upon its victory against Hannibal.[25] We know that there were hundreds of them in Italy. With their families and entourages, just this group of Carthaginians could have numbered in the thousands.

Rome was a cosmopolitan city, no less so than those depicted in Plautus's plays, which present characters from numerous backgrounds operating within a single cultural milieu. Even with their different dress, languages and manners, they have no problems understanding each other. What is problematic for the outsider, and those who are unknown (*ignoti*) is their lack of knowledge of who to trust, especially if they cannot rely on the privileges of being a *hospes* (a guest), with a host to depend on.[26] As an Athenian trader in Plautus's *Asinaria* states: "man is no man, but a wolf to a stranger."[27] While this may be true for personal dealings, Plautus's characters show that when it came to state institutions outsiders were familiar with the rights of visiting free-born citizens. This is particularly evident in the *Poenulus*. The Carthaginian Hanno, when finally finding his daughters in Calydon, contemplates taking their pimp to court: "I'm thinking about what I should do in this situation. If I want to take revenge on him, I'll be pursuing a case in a foreign town … (*alieno oppido*)."[28] He recognizes the difficulty which outsiders have in bringing cases to trial, but he displays full knowledge of the legal system, which he will make use

24 The playwright Terence (Publius Terentius Afer (Svet. *Vita Ter.* 1)) may have come from Carthage. For critical discussion: Erskine (2013) 119.

25 For the Carthaginian hostages brought to Rome following the victory at Zama in 202 BC: Polybius 15.18.8. By 149 BC the number of hostages increased to 300: Polybius 36.4.6. Walbank (1999) 470–471; Allen (2006) 50–51, 161–163. Livy's description of the capture of a Carthaginian spy (22.33.1–2) in 217 BC, suggests the presence of Carthaginians in Rome: Palmer (1997) 27–28.

26 The networks of guest-friendship were protected by traditions of hospitality, and taboos for the mistreatment of strangers. Comments about not misleading strangers: *Miles Gloriosus*, 480–530 and *Poenulus*, 1003; *Mostellaria*, 473 ff.

27 Plaut. *Asin.* 495: *lupus est homo homini, non homo, quom qualis sit non novit.* (author's tranalstion) In *Amph.* 847, the protagonists returning from campaign, following misidentity and confusion, note: "given the rate people get changed now after we came back from abroad" (… *ita nunc homines immutantur, postquam peregre advenimus*). Translation by de Melo (2011a). *Curc.* 551—a comment that all business depends on trust.

28 Plaut. *Poen.* 1403–1404: Translation by de Melo (2012).

of.[29] The converse situation is of outsiders refusing to abide by local laws, as witnessed in *Rudens*: "your laws mean nothing to me", exclaims the villain of the play—the pimp Labrax—refusing to admit that the girls he acquired as slaves are free-born citizens.[30] There were systems in place to accommodate legal proceedings which involved people from abroad. The character Ballio in the *Pseudolus*, another pimp, uses the following phrase, mockingly in response to Simo, whom he has to pay: "I'll settle the demands of outsiders first and deal with the citizens tomorrow—*peregrinos apsoluam, cras agam cum ciuibus.*"[31] This phrase, as de Melo points out, is a formula of the *praetor* who dealt with court cases, including those involving foreigners.[32]

The legal and civic bodies in the plays are modelled on actual Roman practice, which would have been a familiar point of reference for Plautus and his audience. Such familiarity would have been crucial for the plays to be a commentary on contemporary concerns, which helped create the comic effect. We know that the influx of outsiders to Rome necessitated an adaptation of its institutions. One of these, in the mid-3rd century BC, was the creation of a new magisterial office, the *praetor peregrinus*, to complement the already existing *praetor urbanus*.[33] Part of the remit of this new office was to oversee legal cases involving foreigners and Roman citizens, previously under the aegis of the *praetor urbanus*. It is likely to have been such a *praetor peregrinus* who was in the minds of the Roman audience as they watched the characters of Hanno and Ballio negotiate the ins and outs of the justice system on the comic stage. In the examples from Plautus's plays there is little indication that, for those who are from abroad seeking justice, it is the local citizenship that provides the privilege. There are clear procedural differences for local citizens, but the main concern is about being a stranger in a strange place, not about the status of their citizenship.

29 The rights of visiting citizens, for example to request help from the host community are also assumed in *Menaechmi*, 1004–1006: Gratwick (1993) 231.

30 Plaut. *Rud.* 725: *mihi cum vestris legibus nil quicquamst commerci.*

31 Plaut. *Pseud.* 1232: Translation by de Melo (2012).

32 de Melo (2012) 375–376, n. 57.

33 The first praetorship in Rome was created in 367 BC to supervise civil litigation. From 241 BC the praetorship was split into the *praetor urbanus* and the *praetor peregrinus*. This was in part to allow for the large number of cases: Brennan (2000) 86, 604; Daube (1951); Forsythe (2005) 211. Further praetors were introduced in 227, with Roman absorption of the territories of Sardinia and Silicia: Roselaar (2012) 398.

2 The Elusive Foreigner

Within Plautus's comedies there is a distinction made between the terminology used to describe those who are new arrivals or passing through the city, and those who are its more long-term inhabitants, including the citizens. Foreigners and migrants were not simply grouped together and identified as such. What mattered more was the status of individuals from abroad, which meant that they were assigned to other categories that were more significant at the time, whether merchant, labourer, tax-collector, *hospes* (guest friend), *hostis* (enemy), mercenary, exile, hostage, slave or citizen. As Plautus is one of our earliest surviving Latin authors, his comedies provide some of the earliest extant examples of how terms for outsiders are used. For those who are coming from abroad the most common term is *peregrinus*, other terms include *hospes*, *alienus* or *ignotus*.[34] These labels tend to be reserved for those who are recently arrived or are in the city on a more temporary basis. Of the terms used in Plautus, the most neutral in the 3rd and 2nd centuries BC, appears to be *peregrinus*.[35] It means to be from elsewhere or abroad—*peregre*.[36] One example of its use is in a scene from the comedy *Poenulus*, in which the slave Milphio and his master Agorastocles plot to trick Lycus, the pimp. They take advantage of Lycus' lack of local knowledge by getting the bailiff Collybiscus to pretend to be someone else, and say "that he is a stranger from another town—*dicatque se peregrinum esse, ex alio oppido*".[37] The term *peregrinus* provides no indication of the status or the relationship which the outsider has to the people in the place s/he is currently in, only that s/he is not from there. There is no Latin equivalent to the English term *immigrant*, as it appears in current usage, referring to someone who moves across an international border or boundary, in a permanent way with the purpose of residence.[38] Other

34 Cicero in his *de Officiis*, 1.37 notes that *hostis*, meaning enemy by the later Republican period, had the same meaning as *peregrinus*—stranger, in archaic times. Varro also notes a similar change: Varro, *ling*. 5.3. For its appearance in the Twelve Tables, 2.2 and 6.4: *Roman Statutes* Law 40: Tab. 2.2e; Tab. 6.4 (Vol. II, 622–624, 660–661).

35 *Asin*. 464; *Bacch*. 1009; *Cist*. 143, 579; *Men*. 724; *Persa* 135; *Poen*. 175, 599, 656; *Pseud*. 1232; *Truc*. 955.

36 For the later development of the term *peregrinus* and its use in the Imperial period: Lavan (2013) 32–35.

37 Plaut. *Poen*. 176.

38 This meaning of immigrant and the related terms to immigrate, and immigration can be traced to 18th–19th century America: Pickering (1816) 108; *The Oxford English Dictionary*. For discussion see: Shumsky (2008) 132; Thompson (2003) 195, n. 21.

terms used by Plautus, such as *alienus* and *ignotus*, focus more specifically on the individual's position of being unknown, rather than on the fact of them being from elsewhere.[39] One did not need to be a foreigner to be a stranger, and both terms could be equally used in reference to a local who was unfamiliar.

The most threatening of such strangers was called a *hostis*—an enemy. The opposite is expressed by *hospes*—guest friend, indicating ties to the members of the host community, and the expectation of hospitality by the incomer.[40] The juxtaposition of these two is expressed in *Bacchides*: *"tun hospitem illum nominas hostem tuom?*—Do you call that enemy of yours your friend?".[41] At times the term *hostis* can be used to mean foreigner, but in the remaining comedies of Plautus, in the vast majority of cases it is used, unmistakably, to mean enemy. This suggests that in the few ambiguous cases, *hostis* should also be understood as referring to a hostile outsider if not enemy.[42] For example in the *Trinummus*: "*turpilucricupidum te uocant ciues tui; tum autem sunt alii qui te uolturium uocant: hostisne an ciuis comedis parui pendere*—your fellow citizens call you greedy for dishonest gain; then again there are others who call you a vulture, claiming that you care little whether you eat up enemy outsiders or citizens."[43]

3 The Elusive Locals

There were different expressions designating those who lived in the city. Interestingly, in the same way that there is no generic term for 'migrant' in Republican Latin, there is also no equivalent to the English term 'local'. The varied ways in which inhabitants in the city were referred to appear as a list in Plautus's *Aulularia*. A mistaken robbery forces Congrio, the cook to run into the

39 *Alienus* is used in *Captivi*, 145; *Rudens*, 115; *Stichus*, 480 and *Truculentus*, 178, which also uses *ignotus* in the same phrase, implying there is some distinction between them or for emphasis; *pro ignoto alienoque*. The term *ignotus* is also used in: *Curculio*, 280; *Menaechmi*, 335, 373, 495. A similar term meaning someone who is unknown—*non novit*: *Asinaria*, 495–496.

40 *Persa*, 603; *Asinaria*, 417, and see note 25 above.

41 Plaut. *Bacch*. 251–253.

42 The one example where this does not seem to be the case is when the term is used as an adjective to describe a house abroad: Plautus, *Miles Gloriosus* 451: *hosticum hoc mihi domicilium est*—this is my residence abroad.

43 Plaut. *Trin*. 99–101. See also *Rud*. 434–435.

street appealing for help to those around him: "*cives, populares, incolae, accolae, advenae omnes*."[44] Having the character shout this from the stage (probably facing the forum), was also a clever way of attracting attention to the performance and encouraging bystanders to join the audience.[45] The list of those asked for help begins with the categories of people who one can most depend on, who are the closest in terms of allegiance and distance. From that point it recedes to those further away. The exact meaning of the terms, however, and the nuances between them are difficult to ascertain, since there are so few extant Latin works from this period, and Plautus is one of the earliest. One possible literal translation, although somewhat cumbersome, which allows for the widest possible meaning of this list in the context of the *Aulularia* passage, is: "citizens, compatriots/countrymen, inhabitants/resident-aliens, neighbours, foreigners/newcomers (of a more temporary kind), everyone …".[46] A simpler schematic translation may be: "citizens, countrymen, those from nearby, those from afar, everyone …".[47]

The first to be called upon by Congrio are the *cives*—citizens—these are followed by the *populares*, a term which is translated interchangeably to mean citizens or countrymen. We may wonder about the relationship between *cives*, and *populares*, and whether the latter does not subsume the former within it. The only other use of *populares* in the remaining comedies is in *Rudens*, as an exclamation and address: "*pro Cyrenenses populares!*—Countrymen of Cyrene!"[48] Presumably the same sentiment could have been achieved with the term *cives*, as it is used by Sosia in the *Amphitruo* calling on the citizens of Thebes to help: '*pro fidem, Thebani ciues!*'[49] The irony here is that Sosia is a slave, expecting protection that is reserved for fellow citizens. *Populares* is the preferred term used by the comic playwright Terence in his remaining plays, writing a generation later, never *cives*.[50] In Plautine comedy usually the address is made simply to citizens—*cives*—without specifying their affiliation,

44 Plaut. *Aul.* 406–407.

45 For similar tactics: *Capt.* 160; *Curc.* 462–484: Marshall (2006) 26–28; Wiseman (2009) 169–170.

46 For the meaning of *advenae omnes*—as a reference to those in a city on a more temporary basis, and a discussion of different kinds of 'foreign' status: Licandro (2007) 55. In Varro's work the term is applied in reference to certain birds being partly migratory: Varro, *rust.* 3.5.7: *cum partim advenae sint.*

47 I am grateful to Michael Hanaghan for discussions about possible translations.

48 Plaut. *Rud.* 615.

49 Plaut. *Amph.* 377.

50 Ter. *Ad.* 155; *Eun.* 132.

which at times seems to matter little. In the play *Poenulus* citizens of Calydon are referred to as both Aetolian and Attic inconsistently.[51] What mattered was that one was a freeborn citizen. Whether in one's own city, or not, a citizen had rights and could expect a certain level of legal protection and hospitality whatever community he or she was in. Hence in *Poenulus*, the Carthaginian Hanno, when looking for his daughters in Calydon, while acknowledging that it is more difficult to prosecute as a foreigner, still has access to the legal system of the city hosting him.[52] In the same play the adoption of Agorastocles, a Carthaginian boy who was bought by a Calydonian citizen from a slave dealer, passes with no comment.[53] Throughout the play the assumption is that the boy is now a citizen, presumably of Calydon. It is a situation that would have been difficult, if not impossible, in the Greek world, as noted above. At the end of the play Agorastocles is set to return to his birth-place Carthage with his uncle Hanno, and we can assume he will be a citizen of Carthage.

Such a nonchalant approach to the exact source of citizenship in the plays of Plautus may be contrasted to its importance in the Greek comedies. In Menander's *Karchedonios*, for example, the fragmentary text suggests that it is such problems that are preventing Hamilcar, of Carthaginian ancestry, from registering in an Attic deme and marrying an Athenian girl, despite the fact that he was likely born in Athens.[54] We see a similar interest in the specifics of citizenship in the comedies of the later Roman playwright Terence who followed the Greek originals much more closely.[55] Terence's *Andria*, relies heavily on Menander's play of the same name. Pivotal to their plot is whether Glycerium, a woman of Andros, is an Athenian citizen. In Plautus's comedies such details are only important to establish freeborn status, and show much less interest in the specific origin of the character's citizenship. This nonchalance may be at the root of the exclamation by the pimp Labrax, who is accused of buying up free-born citizens as slaves: "I paid out money to their owner for the pair of them. What's

51 Plaut. *Poen.* 373: Attic Citizen—*civis Attica*; *Poen.* 62: Citizens of Aetolia—*Aetoli cives*. For discussions about why this may be the case: Fraenkel (2007) 181, 260; Arnott (1996a) 285, n. 1; Arnott (2004) 71–72.

52 Plaut. *Poen.* 1403–1404.

53 The scenario in Plautus's *Poenulus*, of the Calydonian's adoption of the boy Agorastocles, from a slave trader, would have been impossible in Athens: Gomme and Sandbach (1973) 408–409.

54 Similar questions of the specific place of citizenship arise in Menander's *Kitharistes*: Arnott (1996b) Vol. 2, 86.

55 Segal (1987) 7; Habinek (1998) 56–57.

it to me whether they were born in Athens or in Thebes, so long as they are rightly slaving it as slaves of mine?".[56]

In the *Aulularia* the use of *cives* to begin the inventory of those appealed to for help, is exceptional.[57] It is the only instance in the comedies where the term appears explicitly in relation to other status categories of the city's inhabitants. The only other passage which may be comparable, is the one already mentioned above, from *Pseudolus*, in relation to court cases for *peregrini* and those for *cives* being held on different days.[58] It is worth noting that in the passage from the *Aulularia* the *peregrini* are not in the list, perhaps because the term refers to those recently arrived, rather than inhabitants, or because it is too generic. Aside from these two instances, the *cives* in the comedies are primarily juxtaposed with *hostes*—enemies, as for example in *Persa*: "*hostibus uictis, ciuibus saluis*—now that the enemies are conquered, the citizens safe …".[59] For the characters in Plautus's plays the protection of one's countrymen from enemies is the main duty of the citizen.

The cook's cry for help, in the *Aulularia*,[60] is not only directed at his fellow citizens, but all those who may be on the street. The list of those who are addressed, gives a sense of the distinctions among the freeborn foreigners who were part of the city. In this inventory the term *incolae* is of particular importance because Plautus provides the earliest example of its use in Latin literature. It appears to distinguish a specific status, perhaps that equivalent to a *metic* in the Greek context. From later Latin texts we know that its use becomes more defined. In the *lex Coloniae Genetivae* of the 1st century BC and *lex Irnitana* of the 1st century AD, the term is employed to designate resident aliens, or more precisely those who have transferred their *domicilium* to a place different to that of their origin.[61] In the *Lex Coloniae Genetivae*, in chapter 126, which outlines the procedure for staging public shows, it is written that in

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56 Plaut. *Rud.* 746: *Argentum ego pro istisce ambabus cuiae erant domino dedi; quid mea refert, haec Athenis natae an Thebis sient, dum mihi recte servitutem serviant?*

57 Plaut. *Aul.* 406–407.

58 Plaut. *Pseud.* 1232.

59 Plaut. *Persa* 753. See also: *Trin.* 100; *Rud.* 434–435; *Pseud.* 586–587.

60 Plaut. *Aul.* 406–407.

61 The term appears in the *Lex Coloniae Genetivae*, chapters 95.6 and 126: *Roman Statutes* Law 25, chapters 95, 126 (Vol. I, 404, 414). And in the *Lex Irnitana*, chapters 69, 71, 83, 84, 94: González and Crawford (1986). For the development of the term *incolae* from the late 3rd/early 2nd century BC, and its relationship to *domicilium*: Thomas (1996) 25–53; Morley (1997) 50–51; Licandro (2007) 45, 51–57; Hermon (2007). For a summary of the meanings of *incolae* with earlier references see: Sugliano (2005) 449–450; Gagliardi (2006).

assigning seats the magistrates are required to include those for colonists, *incolae*, guests and visitors—*colonos Genetiuos incolasque hospites*.[62] In their new place of domicile *incolae* would have both rights and obligations.

Unlike the use of the term *incolae* and its derivatives in these later texts, its use in the comedies of Plautus is not exclusively reserved for contexts involving foreigners. This suggests that its meaning was still fluid in the early 2nd century BC. In *Persa, incolae* is used as a reference simply to inhabitants or residents, without any specification of status: "If the inhabitants (*incolae*) are of sound character, I consider the town well fortified—*Se incolae bene sunt morati, pulchre munitum arbitror*."[63] Similarly, a general meaning is implied by the use of the verb *incolere*—to reside—in *Rudens*: "Neptune … who resides in salty fishy places—*Neptuno … qui salsis locis incolit pisculentis*".[64] Not only does the term have diverse meanings but, as Thomas has also noted, even in epigraphic texts it appears without any consistent statutory designation.[65] At the time that Plautus was writing, it is plausible that the term was gaining a more specific definition. This would allow for another layer of meaning in the cook's appeal to those around him in the *Aulularia*. The whole list may be a topical play on the emerging status categories in Rome, their proliferation could be easily turned for comic effect.

At a time when Roman influence was expanding across the Mediterranean, it would not be surprising that such a distinctions became more of a necessity. Rome, and Italy more generally, would have witnessed higher rates of individuals moving through, and choosing to stay for longer periods of time. This required the institutional system, and its language, to adapt to fit the new position of the metropolis and its community. A community whose Roman citizenship was becoming more prominent and sought after. Attempts to gain Roman citizenship and Italian requests for enfranchisement are some of the pivotal political issues of the 2nd and 1st centuries BC. We hear of Latins and others moving to Rome and creeping onto the citizenship registers, leading to expulsions in the 180s and 170s BC.[66] At the time of the Gracchi, in the 130s

62 *Lex Coloniae Genetivae* ch. 126 = *Roman Statutes* Law 25 (Vol. I, 414, 429–430).

63 Plaut. *Persa* 554–555.

64 Plaut. *Rud.* 906–907.

65 Thomas (1996) 28–34. One of the earliest inscriptions to include the term from the 2nd century BC comes from Aesernia CIL I^2, 3201: *Samnites inquolae V(eneri) d(ono) d(ederunt) mag(istri) C. Pomponius V.F. / C. Percennius L. F. / L. Satrius L. F. / C. Marius No. F.* Discussed in detail by: La Regina 1970–1971: 452–453. For the context in Aesernia, see: Gagliardi (2006) 157–158; Roselaar (2011) 541.

66 Liv. 39.3.4–6; Broadhead 2004.

BC, issues of citizenship and the needs of the Italian allies were high on the Roman political agenda.[67] The question of citizenship came to a head during the Social War, which began in 91 BC. It was fought between Rome and her supporters on the one side and the Italian allies—referred to as the *socii*—on the other. It culminated in the enfranchisement of all communities in Italy South of the Po in 89 BC.[68] The comedies of Plautus, performed a century before this extension of citizenship, reflect a growing interest in defining specific status categories of the inhabitants in the city, with that of citizen being one among them.

4 Right to the City

It needs to be stressed that the presence of outsiders in Rome was not in itself a problem. We have no evidence in the Republican period of any general measures that were implemented to prevent foreigners from coming to Rome. This is quite different from the situation, several centuries later, when by the time of Justinian, migrants were being vetted in Constantinople.[69] What references exist for expulsions of outsiders, are presented as isolated events and perceived negatively by commentators and contemporaries. Cicero's scorn is palpable in his remarks on the laws that expelled *peregrini*—foreigners—from Rome:

> They do wrong, those who would debar foreigners from our cities and would drive them out, as was done by Pennus in the time of our fathers, and recently by Papius. Of course it is right not to permit the rights of citizenship to one who is not a citizen, on which point a law was secured by two of our wisest consuls, Crassus and Scaevola. Still, to debar foreigners from using the city is clearly inhuman.[70]

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67 Plut. *C. Grach.* 8; Appian, *BC* 1.23; Sherwin-White (1973) 136–144; and see discussion below.

68 Dart (2014); Isayev (2011); Isayev (forthcoming); Mouritsen (1998).

69 Feissel (1995) 366, notes special officers controlling incomers.

70 Cic. *off.* 347: *Male etiam, qui peregrinos urbibus uti prohibent eosque exterminant, ut Pennus apud patres nostros, Papius nuper. Nam esse pro cive, qui civis non sit, rectum est non licere, quam legem tulerunt sapientissimi consules Crassus et Scaevola. Usu vero urbis prohibere peregrinos, sane inhumanum est.* For a discussion of the Ciceronian passage and the events in relation to expulsion of foreigners: Broadhead (2008) 466–467; Noy (2000) 37–44; Lintott (1994) 76; Purcell (1994) 652–653; Wiseman (1994) 344–345.

Both of the legislations referred to by Cicero were political not xenophobic acts, which is reflected in the lack of a specifically-targeted ethnic group. Some scholars doubt that mass expulsions were ever carried out, and it is virtually unheard of that an ethnic group of foreign civilians would be targeted in this way by the host community.[71] The actions of Pennus in 126 BC, and the *lex Papia* of 65 BC are perceived by most scholars as temporary events. They were brought in by politicians who tried to block their opponents' enfranchisement laws that would have created new citizen communities among the Italians, and hence more voters for their rivals.[72] The extensions of citizenship were part of a strategy to increase the political power base, and hence it is not surprising that these efforts were blocked by Pennus and Papius, their competitors.

Pennus put forward his unpopular legislation at the time of the Gracchi, just as Flaccus was about to propose extending citizenship to Italic communities. Two generations later, Caesar's efforts to enfranchise Cisalpine Gaul, were met with the introduction of the *lex Papia* by his opponents. By removing the 'foreigners' these legislators were ensuring that they did not interfere in voting for the bills. Implicit in this episode is the fact that the Gracchi and Caesar were quite happy for these foreigners to stay in Rome and to also be part of its civic community. In his remarks, Cicero is keen to distinguish between the physical presence of foreigners and their inclusion as part of the citizen body.[73] He could see the merits of protecting the privileged status of the Roman citizen,[74] but not of disallowing people to make use of the city. After all, Rome's early image of itself, according to one mythical strand was that of an asylum, set up by Romulus who invited others to join him at the site, including vagrants and refugees.[75] The other legendary strand, made infamous by Vergil in his *Aeneid*, also envisions refugees as ancestors of the original city inhabitants, this time from Troy. Romans recognised that their *patria* was an artificial creation—a human project—as Bonjour aptly calls it.[76] It could be argued that Rome was a cosmopolis right from its beginnings as a city.

At the time of Plautus the city of Rome was rapidly becoming more cosmopolitan. Those who moved around the Mediterranean, like Plautine char-

71 Balsdon (1979) 98–111, includes a list of expulsions.

72 See especially: Gruen (1974); Wiseman (1994) 344–345. On enfranchisement laws see also Carlà-Uhink in this volume.

73 Cic. *off*. 347.

74 *Lex Licinia Mucia* of 95 BC, noted by Asconius, Corn. 67–68C, was designed to prevent the illegal acquisition of Roman citizenship. For a discussion: Tweedie (2012).

75 For Roman founding myths: Dench (2005).

76 Bonjour (1975) 11–12; Battistoni (2010).

acters, travelled through a seemingly borderless world. In Italy, for much of the Republican period, there was no systematic control of arrivals or departures of civilian foreigners, in the way that Bresson suggests there may have been at Alexandria and other Greek ports.[77] There is little in the comedies to suggest that there were state imposed restrictions on who had access to the poleis, in the way of border controls. There are instances when port authorities and customs houses are mentioned,[78] but they are primarily for controlling the circulation of goods and resources, not individuals, except in the case of slaves.[79] We do hear of passes, such as the *syngraphus*, that soldiers needed to be released from military duty, but not more than that.[80] The character Hegio mentions such a pass in Plautus's *Captivi*, in an exchange between Philocrates and Tyndarus:[81]

> HEG. *Sequere me, viaticum ut dem a tarpezita tibi, eadem opera a praetore sumam syngraphum.*
> TYND. *Quem syngraphum?*
> HEG. *Quem hic ferat secum ad legionem.*

> HEG. (to Philocrates): Follow me so I can give you some travel funds from the banker's: I'll get a passport (*syngraphus*) from the praetor at the same time.
> TYND. What passport?
> HEG. One to take to the army with him so that he gets permission to go home.

In Rome we know of no document that would have been required to gain entry into the city. Nevertheless, as Moatti argues, by the imperial period there were other ways for officials to control the circulation of foreigners.[82] As we saw in

77 Bresson (2007).

78 Plaut. *Asin.* 240–243; *Men.* 117–119; *Trin.* 795, 1105–1107.

79 For possibilities of control at Greek ports: Bresson (2007); and discussion of scarcity of evidence for controls at Greek cities: Lefèvre (2004).

80 The term *syngraphus*, adapted from the Greek, had a wider meaning of contract at the time of Plautus, which is how it is used in *Asinaria*, 746, with a reference to a contract between a soldier and his mistress. For the Latin use of *syngraphus*: Skiles (1941) 527. Radin (1910) 366, suggests that it was primarily a Greek term that may have needed some explanation to a Latin audience, as implied by the passage in Plaut. *Capt.* 449–452.

81 Plaut. *Capt.* 449–452.

82 Moatti (2007).

the Cicero passage above, it seems that what control there was would have been retrospective, through expulsions of unwanted elements. Yet, we have little sense of how that would have been implemented on any large scale, precisely because of a lack of documents. In the comedies, mobility through the poleis of the Mediterranean was not the prerogative of any particular group of people or sector of society. Those on the move include characters of all backgrounds and ages, whether wealthy or poor, male or female, free or enslaved. On arrival in a foreign city it was not the fact that one was from abroad that was an issue, rather the barriers that were difficult to cross all had to do with status, which determined one's position within the network of obligation and the extent of personal agency to move or to stay put. Some had no choice. Slaves had to obey their masters and moved with them; courtesans sold for service to mercenaries followed them on campaign; stolen children and prisoners of war were traded as slaves or sent to other destinations based on the requirements of those who captured them.

5 Conclusion

Plautus's cosmopolitan world, inside and outside of the comedies, was filled with characters from around the Mediterranean for whom the poleis acted as intersections on their journeys. At these hubs, not least Rome, local citizens mixed with other residents, newcomers and slaves. From the Plautine corpus we can get a sense of how these diverse groups of people related to each other. The principal difference in status is between the free citizen and the slave, which the dramatic framework subverts. It grants agency to such characters as the *servus callidus*—the trickster slave—who, despite his lowly status, is often the true driver of action.[83] For those who are free-born there is no straight-forward opposition in the comedies between the local-citizen and the foreigner. Rather the citizen is positioned at one end of a spectrum, at the opposite end of which is the *hostis*—the enemy outsider. Along this spectrum there are varying degrees of status, which are all based around the relationships that individuals have with the members of the community where the action takes place. It is most explicitly expressed in the cooks cry for help in the *Aulularia*.[84] This comic passage also reveals an interest in making more nuanced

83 Slaves in the Plautine corpus: Wright (1974), Wright (1975), Leigh (2004), 24–26; Parker (1989), McCarthy (2000), Richlin (2005) 30, 111. For the role of the trickster slave in *Poenulus*: Maurice (2004), Leigh (2004), chapter 2, 24–56.

84 Plaut. *Aul.* 3.406–407.

distinctions between the status of those in the city. In the Plautine comedies, there is still flexibility in the way that terms are used; *incolae*, for example could simply refer to inhabitants or more specifically to resident-aliens. At the time that Plautus was writing, Roman institutions were adapting to the necessities of an Imperial centre that saw an influx of newcomers. Better defined status categories would have been part of that process. It is this moment of change which the comedies capture.

Bibliography

Adak, M. 2003. *Metöken als Wohltäter Athens. Untersuchungen zum sozialen Austausch zwischen ortsansässigen Fremden und der Bürgergemeinde in klassischer und hellenistischer Zeit* (*ca. 500–150 v. Chr.*). Munich.

Allen, J. 2006. *Hostages and Hostage-Taking in the Roman Empire*. Cambridge.

Arnott, W.G. 1996. *Alexis: the Fragments*. Cambridge. [= Arnott (1996a)]

Arnott, W.G. 1996. *Menander* (Loeb classical library Vol. II). Cambridge (Mass.)—London. [= Arnott (1996b)]

Arnott, W.G. 2004. Alexis, Greek New Comedy and Plautus' *Poenulus*. In *Studien zu Plautus' Poenulus*, ed. T. Baier, 61–92. Tübingen.

Bäbler, B. 1998. *Fleißige Thrakerinnen und wehrhafte Skythen: Nichtgriechen im klassischen Athen und ihre archäologische Hinterlassenschaft*. Stuttgart.

Balsdon, J.P.V.D. 1979. *Romans and Aliens*. London.

Battistoni, F. 2010. *Parenti dei Romani. Mito troiano e diplomazia* (= Pragmateiai; 20). S. Spirito.

Benz, L. and E. Lefèvre, eds. 1998. *Maccus barbarus: sechs Kapitel zur Originalität des Plautus*. Tübingen.

Bonjour, M. 1975. *Terre natale: études sur une composante affective du patriotisme romain*. Paris.

Brennan, C.T. 2000. *The Praetorship in the Roman Republic*. Oxford.

Bresson, A. 2007. L'entrée dans les ports en Grèce ancienne: le cadre juridique. In *Gens de passage en Méditerranée de l'Antiquité à l'époque moderne*, eds. C. Moatti and W. Kaiser, 37–78. Paris.

Broadhead, W. 2004. Rome and the mobility of the Latins: problems of control. In *La Mobilité des personnes en Méditerranée de l'antiquité à l'époque moderne. Procédures de contrôle et documents d'identification*, ed. C. Moatti, 315–335. Rome.

Broadhead, W. 2008. Migration and hegemony: fixity and mobility in second-century Italy. In *People, Land, and Politics: Demographic Developments and the Transformation of Roman Italy 300 BC–AD 14*, eds. L. De Ligt and S.J. Northwood, 451–470. Leiden-Boston.

Champion, C.B. 2004. *Cultural Politics in Polybius's Histories*. Berkeley.

Coarelli, F. 1997. *Revixit ars. Arte e ideologia a Roma. Dai modelli ellenistici alla tradizione repubblicana*. Roma.

Copley, F.O. 1970. Plautus, Poenulus, 53–55. *AJPh* 91.1: 77–78.

Cornell, T. 2013. *The Fragments of the Roman Historians*, Volumes 1–3. Oxford.

Dart, J. 2014. *The Social War, 91 to 88 BCE: A History of the Italian Insurgency against the Roman Republic*. London and New York.

Daube, D. 1951. The Peregrine Praetor. *JRS* 41: 66–70.

de Melo, W. 2011. *Plautus. Amphitryon, The Comedy of Asses, The Pot of Gold, The Two Bacchises, The Captives* (Loeb classical library). Cambridge, MA—London. [= de Melo (2011a)]

de Melo, W. 2011. *Plautus. Casina, The Casket Comedy, Curculio, Epidicus, The Two Menaechmuses* (Loeb classical library). Cambridge, MA—London. [= de Melo (2011b)]

de Melo, W. 2012. *Plautus: The Little Carthaginian. Pseudolus. The Rope* (Loeb Classical Library). Harvard.

Dench, E. 2005. *Romulus' Asylum. Roman Identities from the Age of Alexander to the Age of Hadrian*. Oxford.

Drevikovsky, T. and F. Muecke. 2007. Preface. In E. Fraenkel, *Plautine Elements in Plautus* (*Plautinisches im Plautus*). Oxford.

Erskine, A. 2013. Encountering Carthage: Mid-Republican Rome and Mediterranean culture. In *Creating Ethnicities and Identities in the Roman World* (*Bulletin of the Institute of Classical Studies*, Supp. 120), eds. A. Gardner, E. Herring, and K. Lomas, 113–129. London.

Fantham, E. 2004. Maidens in other-land or broads abroad: Plautus' *Poenulae*. In *Studien zu Plautus' Poenulus*, ed. T. Baier, 235–251. Tübingen.

Feissel, D. 1995. Aspects de l'immigration à Constantinople d'après les épitaphes protobyzantines. In *Constantinople and its Hinterland: Papers from the Twenty-Seventh Spring Symposium of Byzantine Studies*, eds. C.A. Mango and G. Dagron, 367–377. Aldershot.

Fentress, E. 2013. Strangers in the city: elite communication in the Hellenistic central Mediterranean. In *The Hellenistic West: Rethinking the Ancient Mediterranean*, eds. J. Prag and J. Crawley Quinn, 157–178. Cambridge.

Forsythe, G. 2005. *A Critical History of Early Rome: from Prehistory to the first Punic War*. Berkeley—London.

Fraenkel, E. 2007. *Plautine Elements in Plautus* (*Plautinisches im Plautus*). Translated by T. Drevikovsky and F. Muecke. Oxford. First edition 1922.

Gagliardi, L. 2006. *Mobilità e integrazione delle persone nei centri cittadini romani: aspetti giuridici*. Milano.

Gomme, A.W. and F.H. Sandbach. 1973. *Menander: a Commentary*. London.

González, J. and M.H. Crawford. 1986. The Lex Irnitana: A new copy of the Flavian municipal law. *JRS* 76: 147–243.

Gratwick, A.S. 1982. Drama. In *The Cambridge History of Classical Literature*. Vol. II: *Latin Literature*, eds. E.J. Kenney and W. Clausen, 77–137. Cambridge.

Gratwick, A.S., ed. 1993. *Plautus Menaechmi*. Cambridge.

Gruen, E.S. 1990. *Studies in Greek Culture and Roman Policy*. Leiden-New York.

Gruen, E.S. 1992. *Culture and National Identity in Republican Rome*. Ithaca (NY).

Habinek, T.N. 1998. *The Politics of Latin Literature: Writing Identity and Empire in Ancient Rome*. Princeton.

Harvey, P.B. Jr. 1986. Historical topicality in Plautus. *The Classical World* 79.5: 297–304.

Hermon, E. 2007. Des communautés distinctes sur le même territoire: quelle fut la réalité des *incolae*? In *Étrangers dans la cité romaine: habiter une autre patrie, des incolae de la république aux peuples fédérés du bas-empire* (actes du colloque de Valenciennes, 14–15 octobre 2005), eds. R. Compatangelo-Soussignan and C.-G. Schwentzel, 25–42. Rennes.

Hölscher, T. 1990. Römische nobiles und hellenistische Herrscher. In *Akten des XIII Internationalen Kongresses für Klassische Archäologie* (*Berlin 1988*), 73–84.

Horden, P. and N. Purcell. 2000. *The Corrupting Sea: a Study of Mediterranean History*. Cambridge.

Isayev, E. (forthcoming) *Migration, Mobility and Place in Ancient Italy*. Cambridge.

Kasimis, D. (forthcoming) *Classical Greek Theory and the Politics of Immigration*, Cambridge.

La Regina, A. 1970–1971. Contributo dell'archeologia alla storia sociale, territori sabellici e sannitici. *DArch* 4–5: 441–549.

Lavan, M. 2013. *Slaves to Rome: Paradigms of Empire in Roman Culture*. Cambridge.

Lefèvre, E. 1991. *Plautus barbarus: sechs Kapitel zur Originalität des Plautus*. Tübingen.

Lefèvre, E. 2004. Contrôle d'identité aux frontières dans les cités grecques. In *La Mobilité des personnes en Méditerranée de l'antiquité à l'époque moderne. Procédures de contrôle et documents d'identification*, ed. C. Moatti, 98–125. Rome.

Leigh, M. 2004. *Comedy and the Rise of Rome*. Oxford—New York.

Licandro, O. 2007. « Domicilium » e « incolae » tra repubblica e principato. In *Étrangers dans la cité romaine: habiter une autre patrie, des incolae de la république aux peuples fédérés du bas-empire* (actes du colloque de Valenciennes, 14–15 octobre 2005), eds. R. Compatangelo-Soussignan and C.-G. Schwentzel, 43–76. Rennes.

Lintott, A. 1994. Political history, 146–95 B.C. In *The Cambridge Ancient History: The Last Age of the Roman Republic, 146–43 B.C.* Vol. 9, 2nd edn., eds. J.A. Crook, A. Lintott and E. Rawson, 40–103. Cambridge.

Lowe, C. 2007. 'Comedy', *Greece and Rome* Volume 54, Number 37: 97–114.

Manuwald, G. 2011. *Roman Republican Theatre*. Cambridge.

Marshall, C.W. 2006. *The Stagecraft and Performance of Roman Comedy*. Cambridge.

Maurice, L. 2004. The Punic, the crafty slave and the actor: deception and metatheatricality in the *Poenulus*. In *Studien zu Plautus' Poenulus*, ed. T. Baier, 267–290. Tübingen.

McCarthy, K. 2000. *Slaves, Masters, and the Art of Authority in Plautine Comedy*. Princeton.

Moatti, C. 2007. Le contrôle des gens de passage à Rome aux trois premiers siècles de notre ère. In *Gens de passage en Méditerranée de l'Antiquité à l'époque moderne*, eds. C. Moatti and W. Kaiser, 79–116. Paris.

Morley, N. 1997. Cities in context: urban systems in Roman Italy. In *Roman Urbanism, Beyond the Consumer City*, ed. H. Parkins, 42–58. London and New York.

Noy, D. 2000. *Foreigners at Rome. Citizens and Strangers*. London.

Osborne, R. 2011. *The History Written on the Classical Greek Body*. Cambridge—New York.

Osborne, R. 2012. Landscape, ethnicity and the polis. In *Landscape, Ethnicity and Identity in the Archaic Medeterranean Area*, eds. G. Cifani and S. Stoddart, 24–31. Oxford.

Palmer, R.E.A. 1997. *Rome and Carthage at Peace*. Stuttgart.

Parker, H. 1989. Crucially funny or Tranio on the couch. The *servus callidus* and jokes about torture. *TAPhA* 119: 233–246.

Parker, R. 1987. Myths of early Athens. In *Interpretations of Greek Mythology*, ed. J. Bremmer, 187–214. London.

Pickering, J. 1816. *A Vocabulary or Collection of Words and Phrases Which Have Been Supposed to be Peculiar to the United States of America*. (reprint, New York 1974).

Purcell, N. 1994. The city of Rome and the plebs urbana in the late Republic. In *The Cambridge Ancient History: The Last Age of the Roman Republic, 146–43 B.C.* Vol. 9, 2nd edn, eds. J.A. Crook, A. Lintott and E. Rawson, 644–688. Cambridge.

Purcell, N. 2004. Fixity. In *Mobility and Travel in the Mediterranean from Antiquity to the Middle Ages*, eds. R. Schlesier and U. Zellmann, 73–83. Münster.

Radin, M. 1910. Greek law in Roman Comedy. *CPh* 5.3: 365–367.

Richlin, A. 2005. *Rome and the Mysterious Orient: Three Plays Plautus, Titus Maccius*. Berkeley—London.

Roman Statutes = Crawford, M., ed. 1996. *Roman Statutes*. London.

Roselaar, S.T. 2011. Colonies and processes of integration in the Roman Republic. *MEFRA* 123.2: 527–555.

Roselaar, S.T. 2012. The concept of *commercium* in the Roman Republic. *Phoenix* 66: 381–413.

Rosivach, V.J. 1987. Autochthony and the Athenians. *CQ* 37: 294–306.

Segal, E. 1987. *Roman Laughter. The Comedy of Plautus*. Second edition. Oxford.

Sherwin-White, A.N. 1973. *The Roman Citizenship*. Second edition. Oxford.

Shumsky, N.L. 2008. Noah Webster and the invention of immigration. *The New England Quarterly* 81.1: 126–135.

Skiles, J.W.D. 1941. The commercial vocabulary of early Latin as shown in the comedies of Plautus. *CJ* 36.9: 519–536.

Sugliano, A. 2005. La Composizione civica delle colonie Romane d'Asia Minore. In *Il cittadino, lo straniero, il barbaro, fra integrazione ed emarginazione nell'antichità* (*Atti del I Incontro Internazionale di Storia Antica, Genova, 22–24 maggio 2003*), eds. M.G. Angeli-Bertinelli and A. Donati, 437–452. Roma.

Thomas, Y. 1996. *'Origine' et 'commune patrie'. Étude de droit public romain* (*89av. J.-C.—212 ap.J.-C.*). Rome.

Thompson, P. 2003. "Judicious Neology": The imperative of paternalism in Thomas Jefferson's linguistic studies. *Early American Studies: An Interdisciplinary Journal*, 1.2: 187–224.

Tweedie, F.C. 2012. The *Lex Licinia Mucia* and the *Bellum Italicum*. In *Processes of Integration and Identity Formation in the Roman Republic*, ed. S.T. Roselaar, 123–139. Leiden.

Vlassopoulos, K. 2007. *Unthinking the Greek Polis*. Cambridge.

Walbank, F.W. 1999. *A Historical Commentary on Polybius, Vol. II, Commentary on Books 7–18*. Oxford. First edition 1967.

Wallace-Hadrill, A. 2008. *Rome's Cultural Revolution*. Cambridge.

Wiseman, T.P. 1994. The Senate and the populares, 69–60 b.c. In *The Cambridge Ancient History: The Last Age of the Roman Republic, 146–43 B.C.* Vol. 9, 2nd edn, eds. J.A. Crook, A. Lintott and E. Rawson, 327–381. Cambridge.

Wiseman, T.P. 2004. *The Myths of Rome*. Exeter.

Wiseman, T.P. 2009. *Remembering the Roman People: Essays on Late-Republican Politics and Literature*. Oxford-New York.

Wright, J. 1974. *Dancing in Chains: the Stylistic Unity of the Comoedia Palliata*. Roma.

Wright, J. 1975. The transformation of Pseudolus. *TAPhA* 105: 403–416.

Zwierlein, O. 1990–1992. *Zur Kritik und Exegese des Plautus*, vols. I–IV. Stuttgart.

CHAPTER 6

Were Children Second-Class Citizens in Roman Society? Information Technology Resources for a New Vision of an Ancient Issue*

Donato Fasolini

1 The New R.I.T.A. Database and the Problem of the Tribal Ascription of Minors

Over the past several years, the new technologies provided by the advancement of computer science have undoubtedly given access to valuable supports for the study of ancient history, besides making the consultation of a huge amount of data much easier. The field of tribal ascription has benefited from these innovative technologies, not only by improved information but also by allowing in-depth analysis and, at the same time, by making new inroads in the study of ancient history. In this way, we are able to enhance our knowledge of some important aspects of ancient Roman citizenship and, in particular, of a topic that has not yet received the attention it deserves, i.e. the tribal ascription of minors. More research on this topic may shed light on the position of children within the Roman civic body. After the publication of *Imperium Romanum Tributim Discriptum*,[1] that to this day remains the major work on tribal ascription, it seems necessary to ascertain that a fundamental aspect of the ancient world, such as the diffusion of tribal ascription in the territories of the Roman Empire, still requires a work that considers the issue in its entirety. By now, it seems evident that there is an urgent need for a new edition of Kubitschek's work that considers all the numerous innovations that have appeared since the end of the nineteenth century, as well as allowing for an easier updating. For this purpose, an annotated *corpus* is no longer the only desirable solution, given that

* This work has been realized within the Research Project by the group ORDO Alcalà, HAR2011—29108-C04-02 (El taller de ORDO: representaciones gráficas de la influencia y el poder en las élites en la *Pars occidentalis* del Imperio Romano), funded with the public funds of del Plan Nacional de Investigación Básica del Ministerio de Ciencia e Innovación and project EAGLE: EAGLE—*Europeana Network of Ancient Greek and Latin Epigraphy* (CIP-ICT-PSP-2012-6), both of them under the guidance of del Prof. Joaquín Gómez-Pantoja.

1 Kubitschek (1889).

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the large amount of data is becoming increasingly difficult to manage, and also taking into account how fast such a work would "age" due to the continuous epigraphic findings.

Despite the lack of a global work, there have been significant accomplishments over the past years, particularly as regards the works by Taylor[2] on voting districts and by Forni,[3] on Roman tribes in the Balkan provinces, but these works are limited to specific issues and geographical areas. Although both the works are indispensable and represent a great progress in this field of studies,[4] they do not fulfil the need for a complete and definitive updating of Kubitschek's work. In fact, the last complex studies by Forni[5] served as a preparation to the essential work that unfortunately Forni himself could not bring to completion.

The enormous amount of data, including roughly 13,000 units concerning the attestation of tribules, i.e. the indication in the onomastic sequence of membership in one of the 35 Roman tribes, requires the use of new information technology tools in order to store and organize the material at an initial macroscopic level and then use it for a study aimed at being as complete as possible. Only in this way can Kubitschek's work be continued and updated, whilst at the same time permitting the creation of an easily improvable work.

These considerations led to the conclusion that the creation of a database dedicated only to tribal ascription was necessary. This is why the R.I.T.A. (*Roman Imperial Tribal Ascription*) database was created, a database that is not as yet accessible online, but has been completed as far as the collection of tribules is concerned, and it is constantly updated as new findings appear.[6] It is not simply a database where information concerning single inscriptions, with texts and references to *corpora*, are traceable, but it also provides the opportunity to make specific research through filters, such as geographical origin, age, and gender (as is commonly known, there are few cases of female tribal ascription that must certainly be considered exceptions, although an overall view of this problem is still missing).

2 In particular Taylor (1960). Taylor (1966).

3 See for instance Forni (1960) 233–240, Forni (1978) 99–118, Forni (1981) 619–630. This and other works merged in the recent volume *Scripta Minora*, cf. Forni (2006).

4 I refer to the fundamental study about the *Pseudo-Tribù*, see Forni (1985).

5 Forni (1996–2012).

6 The project was created in collaboration with Prof Joaquin Gómez-Pantoja at University of Alcalá and will be placed online on the same page now hosting Hispania Epigraphica Online (eda-bea.es).

The database can also display the distribution of tribules in the Empire's geography in a practical way. The fact of having at our disposal a mapping of the presence of the ascribed individuals, based both on the provenance of findings and on the in-depth research of the *origo* through specific filters, will allow for instance the analysis of the movement of determined groups. Let us consider the examples of the *Clunienses* and *Uxamenses*[7] on the Iberian peninsula: in these cases, one can see a very clear distribution of citizens hailing from these two communities in some centres of the peninsula. They usually form large groups, so as to constitute what one could define an enclave of their respective home-towns.

The combination of the geographical element of *origo* with the tribal ascription and with the onomastics would make it possible to chart such phenomena more precisely and to overcome the impasse caused by the absence, in many cases, even of an explicit indication of the *origo*.

In this paper, I will show the possibilities offered by the database R.I.T.A. in a well-defined group of tribules, namely the number of juvenile Roman citizens presenting the tribal ascription element. This issue allows us to highlight the benefits offered by filters in searching the database and the possibilities offered by the geographical recognition of the database, in order to attain the most complete mapping of the cases discovered so far. The possibility to manage the immense amount of data through geographical and chronological filters is undoubtedly a resource that can improve our knowledge of tribal ascription, including the juvenile ascription, and of important aspects of Roman citizenship in general.

2 Death and Burial of Minors in the Roman World

According to Giovanni Forni, the issue of juvenile tribal ascription is to be placed in the same category as female tribal ascription, in other words, among the cases definable as improper and exceptional, generally limited to members of illustrious families.[8] I maintain that an evaluation of the role of male minors in the Roman world, along with the global analysis of the epigraphic documents that witness the existence of minor tribules, can enable us to point out noteworthy differences of juvenile tribal ascription in respect to the less numerous cases of female tribal ascription.

7 Santos Yanguas—Díaz Ariño (2011) 239–255. Gómez-Pantoja (1999) 91–108. Arias (1954) 16–69, esp. 40 and 44–46.

8 Forni (2006) 195–196, 247.

While dealing with this kind of issue, we should point out that the number of catalogued epitaphs at present (consisting in about 280 units) must be considered in the light of the fact that children—and minors in general—could be buried in many different ways in Roman society. If the study of epitaphs follows the computation made by Garnsey,[9] although it is geographically limited to the Italian peninsula (approximately 16.000 cases), one can see that 50% of epitaphs are dedicated to children under ten years of age, while 28% concern children under the age of one. But, as many authors have pointed out, we should consider the fact that probably infant burials were carried out in a simpler way, for instance on a perishable wooden base. We should also remember, as regards funeral rites, that Pliny[10] says that minors were not cremated on a funeral pyre if they had no teeth, although some sources document a certain attention towards the symbolic meaning in choosing objects (*fax et cereus*) for children's funeral processions.[11] It is well-known, based on literary as well as on epigraphic and archaeological sources, that infant mortality was very high in particular during the early years of life, as testified by some regulations in Roman law aimed at moderating mourning in case of infant death. Ulpian[12] explicitly says that funeral ceremonies had to be limited if the dead were less than three years of age, with only a partial compliance to Roman mourning precepts. Even more specific is Paulus,[13] who prescribes a period of mourning for relatives equal to a month for each year of the life of dead children less than three years of age.

According to Plutarch, this usage dates back to the time of king Numa,[14] but it may well be earlier, if we consider that Dionysius of Halicarnassus[15] informs us that Romulus had established for the *paterfamilias* the explicit ban to condemn to death children aged under three. This norm, as highlighted by Capogrossi,[16] leads us to think that children at that age were not considered conscious of their actions. Obviously, such norms could also be construed as

9 Garnsey (1991) 48–65. Hopkins (1983) 225.

10 Plin. *N.H.* 7.69 and 72.

11 Cf. Serv. *Ad Aen.* 11.143: *si filius familias extra urbem decessit, liberti amicique obviam procedunt, et sub noctem in urbem infertur cereis facibusque praelucentibus* (…); Sen. *Tranq.* 11.7: *totiens praeter limen immaturas exsequias fax cereusque praecessit*; Sen. *Brev. Vitae* 20.5: *At me hercules istorum funera, tamquam minimum uixerint, ad faces et cereos ducenda sunt.*

12 *FIRA* II, 536.

13 Paul. *Sent.* 1.21.13.

14 Plut. *Num.* 12.

15 Dion. Hal. 2.15.2.

16 Capogrossi Colognesi (1990) 111–112.

intending to assure social tranquillity and avoid the excessive display of mourning that, considering the high percentage of infant mortality, could depress not only the relatives of deceased children but also the entire community otherwise forced to attend all too frequently the *tristia robustis luctantus funera plaustris*, in the words of Horace.[17]

Such measures, which can be considered kinds of norms of "mental and social hygiene" for the community, were undoubtedly in force during the classical period, otherwise the distinction made by Cicero[18] between a child's death and an infant death would appear inexplicable. Seneca was critical when he wrote to Lucillius about the death of his friend Marullus' child and the reaction of the father, hinting but not actually saying that the death of a child should be mourned less than that of an (adult) friend.[19] Similarly, Tacitus reproached Nero's excessive mourning for his daughter,[20] who had died four months ago.

It should be recalled, as Carroll[21] correctly pointed out, how Stoic education pervaded these literary testimonies, as shown for instance in Plutarch's *consolatio*, that he wrote for his wife[22] on the occasion of the untimely death of their two-year old daughter. Here he goes as far as to affirm the necessity of a brief mourning, considering that the little girl was not yet part of the Earth and the living world.

Over several years, this kind of testimony has conveyed the idea of Roman society as a society where children were completely set aside, almost isolated because of their relatives' indifference towards them. However, we should not forget that such literary testimonies are rare and that they should also be considered in the light of other documents, also of an epigraphic kind, which instead, show that minors were given much more importance than what is traditionally believed in Roman society.

3 Children as Future Citizens in Roman Society

The birth of a child in the Roman world was welcomed with joy, as shown by the fact that parents spread the news as widely as possible within the

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17 Hor. *epist.* 2.2.74.

18 Cic. *Tusc.* 1.39.

19 Sen. *epist.* 99.2: *Solacia expectas? Convicia accipe. Molliter tu fers mortem filii; quid faceres, si amicum perdidisses? Decessit filius incertae spei, parvulus; pusillum temporis periit.*

20 Tac. *ann.* 15.23.

21 Carroll (2011) 99–120.

22 Plut. *cons. uxor.* 4 and 11.

community: significant evidence for this is provided by the wall inscriptions found in Pompeii, where one can see how the relatives of a newborn baby used to announce the arrival of a new family member blatantly by painting the announcement on the outer walls of the domus.[23] The joyful sharing was not limited to the announcement: in literary sources[24] we often find the lively scene of parents inviting all the neighbours to the celebrations following the birth. Furthermore, the daily care of children is apparent if one considers the interest in them during the prenatal period, as indicated by the existence of specific rites and the realization of amulets[25] aimed at protecting not only the woman in labour but also the newborn, who was entrusted to specific divinities right after the birth.[26]

The importance given over to children went above and beyond all this: even though in the upper classes the attitude towards premature death was influenced by the Stoic idea that children were not yet part of the world, nevertheless the awareness of the important social role that they fulfilled both in family and society was strong, as shown in literary sources such as those mentioned above. The death of a child, the unnatural *mors immatura* that goes against the regular course of things established by Nature,[27] ends up with the annihilation of a future series of events that were expected to happen in the life of a *civis*. Cicero clearly shows this in his *Pro Cluentio*:[28] speaking about a woman from Miletus who was condemned because she procured herself a miscarriage in exchange of money from some successors, he states that the condemnation of the woman was a proper one (*nec iniuria*), given that with her action *quae spem parentis, memoriam nominis, subsidium generis, heredem familiae, designatum rei pulicae civem sustulisset*. Cicero provides in fact a synthesis of all the hope and trust that both families and society put in children, in view of the fact that they were the heirs and the support of their family, and

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23 For instance CIL IV 294: *Iu(v)enilla // nata / die Satu(rni) (h)ora secu(nda) v(espertina) / IIII Non(as) Au(gustas).*

24 Stat. *silv.* 4.8.37–40; Juv. 6.78–80 and 85; Gell. 12.1.

25 Dasen (2003) 275–289.

26 Derks (2014) 47–68. Gell. 16.17. In Aug. *civ.* 11. Cf. Dasen (2011) 310–311.

27 In this respect, see the lament of the father *Successus* for his son's death, in CIL VI 26901: *Diis / Manibus / Successi fil(ii) / Caesia Gemella / mater piissimo / filio de suo / vix(it) ann(is) IX / m(ensibus) IIII dieb(us) XV / fatis peractis mater / eode est condita quae / post obitum filii / vix(it) ann(is) IIII m(ensibus) XI d(iebus) VIII // quod fas parenti / facere debuit filius / mors immatura fecit / ut faceret parens / pater Successus / supremum utrisque / praestitit officium.*

28 Cic. *Clu.* 11.32.

also the future legitimate citizens of the *res publica*. What Cicero describes is after all, the little *cursus honorum*, open to the male child as a legitimate Roman citizen. This concept of the child as a future citizen, and the expectations for his future stages of life, were so widespread that they left, as we will see, a concrete trace also in funerary relief profiles.

Some passages of Seneca provide other examples of this view of children as future citizens. In the *Consolatio ad Marciam*[29] the author clearly describes how hopes were put in children, just like in the previous page by Cicero: *nos togam nostrorum infantium, nos militiam et paternae hereditatis successionem agitamus animo*. Playing the role of magistrates, as Seneca reported, was a common activity among children: *illi inter ipsos magistratus gerunt et praetextam fascesque ac tribunal imitantur*.[30]

So far, from what has been said, we can think of Roman society as a society in which the consideration for minors, though very high during their lives (and even in the prenatal period when they are already considered as heirs),[31] vanished at death, both as a norm of mental and social hygiene and as a real social custom. However, such an idea, that relies on some traditions regarding child burials which are obviously also bound to the economic possibilities of the family, should be revised, in the light of the fact that the oblivion of the deceased in Roman society was not total. Cases of well-signposted infant tombs have in fact come down to us from Roman antiquity, such as children buried with specific grave goods,[32] funeral masks,[33] not to speak of interesting and varied epigraph records observed on sarcophagi,[34] although it should be remembered that it was the beginning of Christianity that triggered off an increase of epitaphs dedicated to children.[35]

For obvious reasons, these expressions of mourning and commemoration of the deceased are only valid for the upper social strata of society, as shown by the wealth of tombs—a fact that certainly does not suggest that the families of the lower strata did not celebrate the memory of their deceased children. From a general perspective, the celebrations for the birth of children and the rites and rituals of commemoration after their death reflected the hopes for the

29 Sen. *Cons. Mar.* 1.2.

30 Sen. *Const.* 12.2.

31 Ulp. *dig.* 28.2.4.

32 Brives (2008), 161–171. Gébara—Béraud (1993) 329–336. Blaizot—Alix—Ferber (2003) 49–77. Dasen (2011) 305 f.

33 Dasen (2010) 109–145.

34 Huskinson (1996).

35 Laes (2007) 29. Shaw (1984) 480 f.

future among the members of the community and the fact these hopes were ultimately frustrated by untimely deaths.

4 Children in Public Events

I have already discussed what could be defined an infant *cursus honorum*. It is interesting to recall here the relief profiles on a wonderful sarcophagus probably of Ostia origins dating back to the mid-second century AD, today preserved in the Louvre Museum (see image on p. XX). The person honoured is a child, *Marcus Cornelius Statius*.[36] The inscription that accompanies the relief[37] does not record the age of the child but, judging by the way he is portrayed, we can presume he certainly did not reach adulthood. The beautiful relief first shows the newborn *Marcus Cornelius Statius* in his mother's arms, then in his father's, subsequently the child playing in a cart drawn by a goat and finally demonstrating his oratory under his father's watchful eye. The first scenarios are common to every child but the second and third scenes are more significant. They show the young member of a high-ranking family (the quality of the sarcophagus made of Carrara marble is evident proof) as being practically involved in exercises of several kinds, for instance playing the charioteer, a prelude to his future access to adult life.

An even more splendid example is the sarcophagus of *Marcus Aufidius Fronto*,[38] from Pesaro, dating back to the early third century AD. The deceased was a descendant of a famous orator, as the inscription clearly states,[39] a grandson of the consul *Aufidius Victorinus* and *M. Aufidius Fronto*'s son. The importance of the *gens* makes it clear that the new generation was expected to play an important role in public life. The young *Aufidius Fronto* is portrayed first playing on a mule-drawn cart and then riding in it. These games, with no apparently deep significance, should be connected to a relevant event, during which children took an active part in public life. Young males from families of a certain level took part in the *Lusus Troiae*,[40] a horse parade,[41] that was often performed in the circus as openings for shows and included a simulated

36 Huskinson (1996) 89.

37 CIL XIV 4875: *M(arco) Cornelio M(arci) f(ilio) Pal(atina) Statio P[arentes?] fecer(unt)*.

38 Huskinson (2007) 65 f.

39 CIL XI 6334.

40 Sen. *Troad.* 775–779. Tac. *ann.* 11.11.4. Svet. *Iul.* 39.4. *Aug.* 43.5. *Tib.* 6.6. Plut. *Cato min.* 3.1. Dio 43.23; 48.20.2; 51.22.4; 54.26.1; 59.11.2.

41 Cf. the relief of *Virunum* depicting young Romans horse parading (Donati [2005] 333).

battle on horseback for boys and adolescents. The *Lusus Troiae* was performed by young members of the *nobilitas* divided into *pueri minorum* (7–11 years), *pueri maiorum* (11–14) and *iuvenes* (15–17). Suetonius recalls how frequently, under Augustus, children from upper classes performed not only during the *Lusus Troiae*, but also as tamers and charioteers and these performances lasted a long time, if we consider that Sidonius Apollinaris still talks about them (*Carmen* 23). Under Claudius, even six-year old Britannicus and nine-year old Nero (probably in order to reinforce their claims to succession) took part in the *Ludi Saeculares*.[42] Such *juvenes* could therefore take part in the chariots races.[43]

We must not think that young people and children participated in public life only on such occasions and only if they belonged to the upper classes. We indeed know that children took an active part in public events also on the occasion of the *Lupercalia*[44] and the fact that minors were employed in various sectors of public daily life, not necessarily as slaves, is well acknowledged in different sources which provide information about their performances. We know from authors such as Petronius[45] and Seneca[46] of minors performing as gymnasts,[47] likewise in the field of dance.[48] Martial recalls their active presence in the arena,[49] even in dexterity games with lions[50] and as tamers,[51] or attendants.[52] We also have graphic testimonies of little *venationes* on some sarcophagi, for instance that of fourteen-year old *Cn. Sentius Asclepiades* (Rome, second century AD).[53]

The question arises when we come to consider whether these depictions were part of common iconographic models or did they have a connection with

42 Tac. *ann.* 11.11.2.

43 Svet. *Caes.* 39.

44 Ov. *fast.* 4.905.

45 Petr. 53–54.

46 Sen. *epist.* 11.13.2.

47 Prosperi Valenti (1985) 71–82.

48 Apul. *met.* 10.29–31.

49 Cf. the *Pinnirapus iuvenum Caius Comienus Fortunatianus* (ILS 6635): *D(is) M(anibus) / C(aio) Comieno For/tunatiano VIviro / Aug(ustali) pinn(irapo) iuvenum / Veturia Aepikaris / co(n)iugi kar(issimo) et fili(i) tres / Fortunatus Marcianus / et Ag{g}rippinus patri karis(s)i/mo.*

50 Mart. 1.6.14; 60.

51 Mart. 1.104.

52 Mart. 2.75.

53 CIL VI 26200: *Cn(aeo) Sentio Asc/lepiade [q(ui)] bixit / an(nos) XIIII m(enses) V d(ies) XX / h(eres) f(ecit) b(ene) merenti.*

real activities. The analysis conducted by Fulvia Donati in several works,[54] starting from the mosaics in Piazza Armerina, served to further highlight the fact that some hunting practices were in fact performed by children. As mentioned before, the same goes for *bigae* races, testified not only in literary sources but also in images such as those on the Roman sarcophagus currently preserved in Berkeley,[55] or the likely child charioteer in the Utica fragment.[56] Martial recalls performances of this kind, sometimes on chariots drawn by unusual animals.[57]

Moreover, a further sector of public life in which children played an important role is child labour.[58] If we take into consideration cases such as *Quartulus*', the child miner[59] recalled in a funerary inscription from Baños de la Encina, Jaén (first century AD),[60] now preserved in the Museo Arqueológico Nacional of Madrid or, as highlighted by Laes,[61] about the case of the child mentioned in a 2nd-century inscription from ancient *Solentia* (Dalmatia), who *peri(i)t percussus cornu bubus / dum pabula point*,[62] then it is apparent how, when discussing minors in the ancient world and their importance in society, we should never forget their role as manpower in various sectors, both in supporting the family economy and as part of a wider economic structure.

5 Tribal Ascription of Minors: Structure of the Onomastic Sequence, Age of the Dead and Geographical Distribution

As has already been mentioned, at present the epigraph corpus containing indications of the tribal ascription of minors is made up of 280 inscriptions. The analysis of the attested cases, in the face of the transversal presence of attestations of social classes, leads us to believe that considering the element of tribal ascription as specific of prominent family members, as Forni believed, is misleading. While it is certainly true that the onomastics and the quality of the epitaphs show, in many cases, high-ranking families, as highlighted

54 Donati (2004) 151–162. Idem (2005) 303–349.
55 Donati (2005) 324.
56 Donati (2005) 324.
57 Mart. 21.
58 Petermondl (1997) 113–136.
59 About the employment of minors in mines, see Diod. 3.13.1–2. Domergue (1985) 339 f.
60 *CIL* II 3258.
61 Laes (2004a) 157.
62 *AE* 1922, 48.

by references to honours and offices,[63] we should not forget that among the renowned data there are also cases of first generation citizens, such as children of freemen, who certainly deserve more attention. These cases show tribal ascription of children from middle and lower classes families, devoid of any sign of wealth or importance in society.[64]

Such cases are evidently in contrast with the above-mentioned theory that considers the tribal ascription of minors as an "improper certification", connected to the privileged status of parents. The cases of tribal ascription in the onomastic of children from ordinary families should rather lead us to think that children in general had great importance in Roman society, and not only among the members of the upper classes. This is well reflected in the parents' will to take care of them in anticipation of their future importance both for the family and for the civic community, as has been seen previously. Although meaningless from a practical point of view, the indication of tribal ascription in children's onomastic sequence testifies to the perception of their importance as legitimate "citizens to-be" in the Roman world.

These cases, that are rather frequent and geographically widespread (in fact the cases detected so far concern the whole territory of the empire, as will be seen below), should be considered as a sign of the concrete will to further honour the memory of the young deceased, pointing out in detail how untimely death deprived him of his future rights and duties as a Roman citizen. This sentiment was undoubtedly common to all strata of the citizens' community. To the upper class families, the son (as in the case of *Marcus Aufidius Fronto*) represented the continuation of a career holding prestigious office; to the middle-class families, the son represented the possibility of continuing the *gens* and inheriting the estate besides all the opportunities open to citizens; to the lower classes, for example among freemen, children represented the hope for a first generation of citizens in the family, hence they embodied the hope for a radical change of living conditions and social prestige.

As for tribal ascription for minors as "improper ascription", we should instead observe how an analysis of the whole *corpus* shows an evident regularity in this type of epitaph when comparing to the typical inscriptions reserved for adults.[65] Parents are usually the dedicators or, sometimes, only one of them; if the dedicator is the father it must be underlined how rarely the tribal ascription is specified in his onomastic sequence.[66] A generic *parentes* occurs in other

63 Laes (2004b) 145–184.

64 Fasolini (2011) 113–141. Fasolini (2014) 225–236.

65 Fasolini (2011) 119 f.

66 For instance, *CIL* VIII 18928. *CIL* II 649.

inscriptions[67] while no dedicator appears in some of them.[68] The position of the tribal ascription in the minor's onomastic sequence is generally regular, usually after the patronymic.[69] There are also cases of changes regarding the tribal formula recognised in classic epigraphy, like for instance the indication of the *tribus* can appear after the *cognomen*;[70] this phenomenon is often favoured by the lack of the patronymic in the onomastic sequence and can even appear at a considerable distance[71] between the traditional position and the collocation of the *tribus*. Likewise, the presence of polynomics can favour these unusual positions.[72] We should not then forget that, also in the case of juvenile tribal ascription, the interesting phenomenon of placing tribal ascription and *origo*[73] side by side also crops up; in this way the *tribus*, albeit improperly, almost becomes a nickname of the hometown, thus showing the gradual weakening among Roman citizens of the perception of tribal ascription as an element of individual personal identity. There are also cases of tribal ascriptions that "go up"[74] in the onomastic sequence, and these are documented among the juvenile tribal ascriptions, although less frequently than changes beyond the classical position. Tribal ascription is usually represented in ablative and shortened to the first letters.[75] In some cases we can see the *tribus perscripta*.[76]

The aim of this brief analysis is to give an idea of the complete regularity of the phenomenon which appears to be normal practice in the onomastic sequence and funerary habits and not anything exceptional. If, on the one hand, we have cases such as *Marcus Aufidius Fronto* and the six-year-old *Publius Matienus Proculus Romanius Maximus*, honoured in *Brixia* by his community[77] with the *funus publicum* and even with a gilded equestrian statue—evident cases of scions from respected families, we cannot ignore, on the other hand, cases such as *Quintus Decius Pothumenus* (Concordia Sagittaria, AD 171/230),[78]

67 *CIL* VI 17575.
68 *CIL* VI 16643.
69 *CIL* VI 7911. *AE* 1985, 354.
70 *CIL* XIV 532.
71 *CIL* VI 10221.
72 *CIL* VI 7540.
73 *CIL* III 14358.
74 *CIL* VIII 18996.
75 *CIL* IX 4729.
76 *CIL* XIV 532.
77 *CIL* V 4441.
78 *CIL* V 1921.

Tiberius Claudius Proculus (Rome, first century AD),[79] and the nine-year-old *Tiberius Claudius Valerianus* (Rome, second century AD),[80] all sons of freemen. These children represented their parents' hope for a future generation of citizens that could definitively release the *gens* from their ties with the past.

As for the reported ages, it must be said that they range from newborn babies to boys who have almost come-of-age, but the most well-known cases concern five to eight-year-old and eleven to thirteen-year-old children, although no age is excluded from the corpus.

Finally, let us take a look at the geographical factor. As mentioned at the beginning, the great interest in the R.I.T.A. database project is intended to provide a constantly upgradable collection of tribules, and the possibility of conducting more specific research by using filters (as in this case) and to have a clearer and more accurate vision from a geographical point of view. A search through the database shows that few territories in the Roman Empire prove to be devoid of minors with tribal ascription.

On the Italian peninsula, where for obvious reasons Rome shows the highest concentration of cases, only the regions VIII and IX do not seem to have examples of minors with tribal ascription, but we have to point out that, besides the analysis of epigraph texts, an iconographic research should be conducted thoroughly in the near future. Relief profiles similar to those of *Marcus Cornelius Statius*, related to the texts concerning an individual with ascription (without an age indication) could highlight further cases of "hidden" juvenile tribal ascription.

As for the rest of the Empire, we can definitely see a prevalence of juvenile tribal ascription in North Africa (particularly in *Numidia*), which is probably related to the typical features of local society. But the fact remains that other territories too can boast the presence of ascribed minors, as indicated on the enclosed map, thus leading to the further conclusion that this phenomenon has neither social specificity nor geographical and territorial limitations.

In conclusion, the R.I.T.A. database, that was created with the intention to not only bring Kubitschek's work up-to-date but also provide an easily updating tool for a broader insight, proves to be a very useful means to explore the issue of minor tribal ascription, that has too hastily been considered improper or relegated to the level of a local phenomenon, or even a peculiarity of upper class families. The analysis of the cases collected up to the present day, their frequency, formal regularity, the social origin of the individuals, and the wide

79 *CIL* VI 15232.

80 *CIL* VI 15304.

geographical distribution, seem to suggest a more complex vision of the phenomenon that is undoubtedly connected, on the one hand, to the weakening of the traditional concept of tribal ascription but also, on the other hand, to the will to commemorate the deceased as future potentially active citizens within the Roman Empire.

Bibliography

Arias I. 1954. Desplazamientos y contactos de los españoles en la España romana. *Cuadernos de Historia de España* 21–22: 16–69.

Blaizot F., G. Alix, E. Ferber. 2003. Le traitement funéraire des enfants décédes avant un an dans l'Antiquité: études de cas. *Bulletins et Mémoires de la Société d'Anthropologie de Paris* 15: 49–77.

Brives A.L. 2008. Une inhumation d'enfant privilégiée du Centre-Ouest de la Gaule: la sépulture 343 de la nécropole des Dunes à Poitiers (Vienne). *Antiquités Nationales* 39. 161–171.

Capogrossi Colognesi L. 1990. Tollere liberos. MEFRA 102: 111–112

Carroll M. 2011. Infant Death and Burial in Roman Italy. *JRA* 24: 99–120

Dasen V. 2003. Les amulettes d'enfants dans le monde gréco-romain, *Latomus* 62: 275–289.

Dasen V. 2010. Wax and Plaster Memories: Children in Elite and non-Elite Strategies. In *Children, Memory, and Family Identity in Roman Culture*, ed. V. Dasen, Th. Späth, 109–145. Oxford—New York.

Dasen V. 2011. Childbirth and Infancy in Greek and Roman Antiquity. In *A Companion to families in the Greek and Roman Worlds*, ed. B. Rawson, 310–311. Oxford.

Derks T. 2014. Seeking divine protection against untimely death. Infant votives from Roman Gaul and Germany. In *Child health and death in Roman Italy and beyond*, eds. M. Carroll and E.J. Graham, 47–68. Portsmouth.

Domergue C. 1985. La *mine antique d'aljustrel* (*Portugal*) *et les tables de bronze de Vipasca* (*Portugal*). Paris.

Donati F. 2004. Rappresentazione di bambini nei ludi pubblici. *Africa Romana* 15.1: 151–162.

Donati F. 2005. Pueri nell'arena: fonti per una iconografia. *Arch. Class.* 56: 303–349.

Fasolini D. 2011. Designatus rei publicae civis: l'ascrizione tribale dei minori. In *Mors Omnibus Instat*, eds. J. Andreu, D. Espinosa and S. Pastor, 113–141. Madrid.

Fasolini D. 2014. L'ascrizione tribale dei minori nelle regiones X e XI. *Gerion* 32: 225–236.

Forni G. 1960. Dacia Romana tributim discripta. *Omagiu lui Constantin Daicoviciu a 60 de ani*, 233–240. Bucarest.

Forni G. 1978. Le tribù romane nelle province balcaniche. *Pulpudeva II*: 99–118.

Forni G. 1981. Achaia tributim discripta. In *Letterature comparate: problemi e metodo. Studi in onore di Ettore Paratore*, vol. 2: 619–630. Bologna.

Forni G. 1985. *Le tribù romane III. Le Pseudo-Tribù*. Roma.

Forni G. 2006. *Le tribù romane IV. Scripta minora*. Roma.

Forni G. 1996–2012. *Le tribù romane: tribules*. Roma.

Garnsey P. 1991. Child rearing in ancient Italy. In *The family in Italy from antiquity to the present*, eds. D.I. Kertzer and R.P. Saller, 48–65. New Heaven.

Gébara C. and P. Béraud. 1993. Rites funéraires et sépultures d'enfants dans les nécropoles de Frejus, Var (France). In *Römerzeitliche Gräber als Quellen zu religion, Bevölkerungsstruktur und Sozialgeschichte*, ed. M. Struck, 329–336. Mainz.

Gómez-Pantoja J. 1999. Historia de dos ciudades: Capera y Clunia. In *Économie et territoire en Lusitanie romaine*, eds. J.G. Gorges and F.G. Rodríguez Martín, 91–108. Madrid.

Hopkins K. 1983. *Death and renewal*. Cambridge.

Huskinson J. 1996. *Roman Children's Sarcophagi. Their decoration and its social significance*. Oxford.

Huskinson J. 2007. Growing up in Ravenna: evidence from the decoration of children's sarcophagi. In *Age and Ageing in the Roman Empire*, eds. M. Harlow and R. Laurence, 55–79. Portsmouth.

Kubitschek W. 1889. *Imperium Romanum Tributim Discriptum*. Praha.

Laes C. 2004. Children and accidents in Roman Antiquity. *Ancient Society* 34: 153–170. [= Laes (2004a)]

Laes C. 2004. Children and office holding in Roman Antiquity. *Epigraphica* 66: 145–184. [= Laes (2004b)]

Laes C. 2007. Inscriptions from Rome and the history of childhood. In *Age and Ageing in the Roman Empire*, eds. M. Harlow and R. Laurence, 25–37. Portsmouth.

Petermondl W. 1997. Kinderarbeit im Italien der Prinzipatszeit. Ein Beitrag zur Sozialgeschichte des Kindes. *Laverna* 8: 113–136.

Prosperi Valenti G. 1985. Attori-bambini del mondo romano attraverso le testimonianze epigrafiche. *Epigraphica* 47: 71–82.

Santos Yanguas J. and B. Díaz Ariño. 2011. Emigración en Hispania en época imperial: el ejemplo de Vxama Argaela. In *Viajes y cambios de residencia en el mundo romano*, eds. J.M. Iglesias and A. Ruiz, 239–255. Santander.

Shaw B.D. 1984. Latin funerary epigraphy and family life in the Later Roman Empire. *Historia* 33: 457–497.

Taylor L.R. 1960. *The voting districts of the Roman Republic*. Roma.

Taylor L.R. 1966. *Roman Voting Assemblies: From the Hannibalic War to the Dictatorship of Caesar*. Ann Arbor.

FIGURE 6.1 *Sarcophagus of Marcus Cornelius Statius. Ca.* AD *150. Musée du Louvre*
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FIGURE 6.2 *Geographical distribution of minors with tribal ascription*
CREATED BY DONATO FASOLINI

CHAPTER 7

Egyptians and Citizenship from the First Century AD to the *Constitutio Antoniniana*

Valerio Marotta

1 Inclusion or Exclusion?

It has been often a topic of discussion whether, in the spring of AD 212, Caracalla had extended to the Egyptians of the *chōra* and of the *nomói* his 'divine gift',[1] thereby including them among the *cives Romani*.

The same question has been asked since the end of the 19th century;[2] in other words, before the discovery of the *P. Giessen* 40 col. I.[3] In recent years, this question has had a positive answer. Although there is no lack of indications to the contrary, even I would not contest the *communis opinion*.[4] However, in light of a *decretum* (or an *edictum*) issued by Anastasius[5] around the year AD 500, the distinction between Romans and Egyptians would appear even more clear-cut, as Santo Mazzarino previously noted.[6] In any event, such a surprising circumstance should make us cautious:

> ll. 46–51 That the soldiers stationed in the castles undertook guard duty with all due diligence, and for reasons of good commerce no one entered into barbarian territory nor had any exchange with them; but guarded the streets, so that neither Romans nor Egyptians nor anyone without a passport had free access to the barbarians; that instead those belonging to the *éthnos* of the Makoi, by a letter of the clear prefect, were allowed to enter the center of the Pentapolis.[7]

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1 *Theía Dōreá*: BGU n. 655, Arsinoite nome, 15 August AD 215: see Buraselis (1989) and Buraselis (2007) for the German translation.

2 *Infra*, note 76.

3 Torrent (2012), including a bibliography; Purpura (2013a) to which should be added Kuhlmann (2011); Kuhlmann and Barnes (2012) 45–50. A summary is also contained in Corbo (2013) 36 ff. See, *infra*, note 86, with further bibliography.

4 See Spagnuolo Vigorita (1993) 43 ff.

5 This is found in an epigraph preserved at the Louvre: SEG IX 356 = Oliverio (1933) no. 139.

6 Mazzarino (1986) 439.

7 Engl. Transl. by V. Marotta: ὥ[σ]τετοὺς καστρ⟨η⟩σιανοὺς μετὰ πά⟨σ⟩ης ἐπιμελίας | παρα[φ]υλάτ-

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An overall assessment of the first two centuries of imperial government in Egypt reveals that not only did the Romans not do anything to reconcile its native inhabitants with the *Héllenes* who lived in the *chōra* or in the *nomói*, but, in undertaking a general administrative rearrangement, laid the foundation for even more intense contrasts among these peoples. In fact, the *gymnasía* in the villages were closed and those in the *mētropóleis* reformed, so that being part of these became, as a result of the regulations defined by the provincial government bureaucracy, a sought-after position of privilege and, at the same time, a distinctive mark of a high social class.

The entire population of Egypt was divided into Romans (immigrants or naturalized); *astói* (the citizens of Alexandria, Naukratis and Ptolemais),[8] all those who belonged to a recognized *políteuma*;[9] and, finally, on the last rung, the Egyptians who had to pay the *tributum capitis* (the *laographía*).[10]

However, still unresolved was the question of the legal *status* of Greeks in the province—residents in those 'false cities' that were the capitals of the *nomói*,[11] called for emphasis *mētropóleis*—who did not want to be confused with the Egyptians, an eventuality which, deep down, the Romans themselves did not want to occur.

Precisely for this reason, the Graeco-Macedonian *élites* of the *chōra* and *nomói*, though they had lost their previous undifferentiated status as *Héllenes*, were reorganized, with respect to the indigenous peasants who had to pay the *pro capite* in its entirety, into two privileged orders from the fiscal point

τιν, καὶ μὴ σ[υνω]νῆς χάριν τινὰ παρειέναι ἐπὶ τ[ο]ὺς | βαρβάρους μήτε τ[ὰ] ἀλλάγματα πρὸς αὐτοὺς τιθ[έν]αι· ἀλλὰ φυλάττιν αὐτοὺς | καὶ τὰς ὁδοὺς ἐπὶ τῷ μήτε Ῥωμαίους μήτε Αἰγυπτίο[υς μ]ήτε ἕτερόν τ⟨ι⟩να δίχα [πρ]οστάγ-|ματος τὴν πάροδον ἐπὶ τοὺς βαρβάρους [π]οιεῖ⟨ν⟩· [το]ὺς δὲ ἐκ τοῦ ἔθνου[ς τ]ῶν | Μακῶν διὰ γραμμάτων τοῦ λ̣α̣(μπροτάτου) πραιφέκτου συγχωρῖσθαι ἐπὶ τὰχωρία [Πε]ντα-|πόλεως παραγίνεσθαι.

8 Once the traditional forms of the autonomy of citizens were entirely eliminated after AD 30, the identity of the *polítai* of Alexandria, by order of Augustus and his successors, was decidedly linked with the institutions of the *gymnásion* and the *ephēbeía* (which is also revealed by a well-known epistle by Claudius: *P. Lond.* VI 1912, 52–55): see Modrzejewski (1997) 173 ff., an additional bibliography in Klauck (2011) 89–103. On the other hand, the forms of citizen autonomy were maintained in Naukratis and Ptolemais.

9 One wonders if this was the condition of the Jews. In Egypt the *políteuma* is an ethnic community which continued to adopt its own law, though it was far from its country of origin: see Gambetti (2009) 43 ff.

10 See Bickermann (1930) 24 ff.; Delia (1991) 13 ff., 34 ff., which contains further bibliography; Geraci (1995) 60 and n. 18; Gambetti (2009) 61 f., for a bibliography.

11 These were the districts (*chōra*) Egypt was divided into; each of these had a capital called a *mētrópolis*: see, for an initial summary, Lewis (1983) 36 ff. part.

of view: the metropolites and, at a higher rung, the *apó tou gymnasíou* (the Greeks of the *gymnásion*).[12]

In order to gain entry to these *tágmata*, a fundamental requisite was twofold ascendency, both paternal and maternal. Only by marrying a member of one's own order (metropolites with metropolites and *apó tou gymnasíou* with *apó tou gymnasíou*) could parents pass on to their children the same privileged status; otherwise one would only attain a lower status. Moreover, access to the *gymnásion* of Alexandria was regulated according to basically similar criteria,[13] and thus the passing on of Alexandrian citizenship as well, since the descendants of those who had not been married to a co-citizen (male or female) automatically attained the *condicio deterioris parentis*.[14]

We can then understand why, in the first and second centuries AD, almost all inhabitants of the *chōra* or the *nomói* were not allowed any direct access to the status of *civitas Romana*. In a society as highly stratified as Egypt, characterized by differentiated fiscal statutes and persistent ethnic tensions, it would undoubtedly have been risky to allow even a few indigenous inhabitants to attain the status of *civitas Romana*, which certainly represented an even higher status than that of being a citizen of Alexandria and, *a fortiori*, an *apó tou gymnasíou*.

12 In many large villages of the *chōra*, in particular in the *mētrópoleis*, *gymnasía* were created. The members of these centers for the diffusion of Greek culture represented a restricted and controlled category of people, a closed and privileged order: see Lewis (1983) 26, 38.

13 Regarding the case referred to in *M.Chr.* I 372 = *FIRA*² III, p. 19, it is clear that for the Roman administration matrimony represented a unitary institution; matrimonies were not considered based on the specific rules of some foreign legal system (for example, the Alexandrian one), which, at the same time, for Roman law only represented a relationship of co-habitation. A *miles* legionnaire, a *polítēs* of Alexandria, whose children were born while he was in service, and thus considered, as we shall see, to be illegitimate according to the rules of Roman Law, was surprised to discover that they could not even be included among the category of citizens of Alexandria, since they had not passed the εἴσκρισις even though both he and his wife had the status of being members of the gymnasium: cf. Delia (1991) 71ff. Clearly the special regulations of the *disciplina militaris* prevailed even over those that, in Alexandria, regulated the institution of matrimony and the passing on of citizenship with full rights.

14 This is a general rule that reoccurs in the *Gnōmōn* of the *Ídios Lógos*: see, but only as an example, §§13, 38, 39, 46, 47, 48, 57.

2 Viritane Grants and Military Service

The documentation available to us regarding how Egyptians could achieve the *civitas Romana* and Alexandrian citizenship is clearly limited; nevertheless, it allows us to depict a rather precise picture. Along with four letters from the correspondence between Pliny the Younger and Trajan[15] should be added several passages from Flavius Josephus's *Contra Apionem*[16] and § 55 of the *Gnōmōn* of the *Ídios Lógos*:

> Ios. *Contra Apionem* 2.40–42 Ἡ δὲ Ῥωμαίων φιλανθρωπία πᾶσιν οὐ μικροῦ δεῖν τῆς αὐτῶν προσηγορίας μεταδέδωκεν οὐ μόνον ἀνδράσιν ἀλλὰ καὶ μεγάλοις ἔθνεσιν ὅλοις; Ἴβηρες γοῦν οἱ πάλαι [41] καὶ Τυρρηνοὶ καὶ Σαβῖνοι Ῥωμαῖοι καλοῦνται. Εἰ δὲ τοῦτον ἀφαιρεῖται τὸν τρόπον τῆς πολιτείας Ἀπίων, παυσάσθω λέγων αὐτὸν Ἀλεξανδρέα· γεννηθεὶς γάρ, ὡς προεῖπον, ἐν τῷ βαθυτάτῳ τῆς Αἰγύπτου πῶς ἂν Ἀλεξανδρεὺς εἴη τῆς κατὰ δόσιν πολιτείας, ὡς αὐτὸς ἐφ' ἡμῶν ἠξίωκεν, ἀναιρουμένης; καίτοι μόνοις Αἰγυπτίοις οἱ κύριοι νῦν Ῥωμαῖοι τῆς οἰκουμένης μεταλαμβάνειν ἡστινοσοῦν πολιτείας ἀπειρήκασιν. Ὁ δ' οὕτως ἐστὶ γενναῖος, ὡς μετέχειν ἀξιῶν αὐτὸς ὧν τυχεῖν ἐκωλύετο συκοφαντεῖν ἐπεχείρησε τοὺς δικαίως λαβόντας.
>
> Has not the generosity of the Romans given almost everyone their name, and not only to individual men but also to entire great *éthnē*? Thus the ancient Iberians, Tyrrhenians and Sabines are called Romans. If this type

15 *Epist.* 10.5; 10.6; 10.7; 10.10.

16 In particular 2.40–41 (In this page). But see also 2.28–30 Καὶ τί γε δεῖ θαυμάζειν, εἰ περὶ τῶν ἡμετέρων ψεύδεται προγόνων λέγων αὐτοὺς εἶναι τὸ γένος Αἰγυπτίους; [29] αὐτὸς γὰρ περὶ αὐτοῦ τοὐναντίον ἐψεύδετο καὶ γεγενημένος ἐν Ὀάσει τῆς Αἰγύπτου πάντων Αἰγυπτίων πρῶτος ὤν, ὡς ἂν εἴποι τις, τὴν μὲν ἀληθῆ πατρίδα καὶ τὸ γένος ἐξωμόσατο, Ἀλεξανδρεὺς δὲ εἶναι καταψευδόμενος ὁμολογεῖ τὴν μοχθηρίαν τοῦ γένους. [30] Εἰκότως οὖν οὓς μισεῖ καὶ βούλεται λοιδορεῖν τούτους Αἰγυπτίους καλεῖ· εἰ μὴ γὰρ φαυλοτάτους εἶναι ἐνόμιζεν Αἰγυπτίους, οὐκ ἂν τοῦ γένους αὐτὸς ἔφυγεν ὡς οἵ γε μεγαλοφρονοῦντες ἐπὶ ταῖς ἑαυτῶν πατρίσι σεμνύνονται μὲν ἀπὸ τούτων αὐτοὶ χρηματίζοντες, τοὺς ἀδίκως δ' αὐτῶν ἀντιποιουμένους ἐλέγχουσι. "… Why should one be surprised if he lies regarding our ancestors and says they are of Egyptian origin. In fact, he also lies about himself, but in the opposite sense: born in the Oasis of Egypt, an Egyptian among Egyptians, one could say, he denied his true homeland and his kind. And when he lies by pretending to be an Alexandrian, he recognizes the indignity of his kind. It is thus natural that he calls Egyptians those he hates and wants to insult; if he didn't consider Egyptians as wretched, then he would not have fled from such kind. Men proud of their homeland feel honored to receive their name from it and despise those who illegitimately appropriate this name". Engl. Transl. by V. Marotta.

> of citizenship is eliminated, then how could Apion cease to be called an Alexandrian; born, as we have said, in the heart of Egypt, how could he be an Alexandrian if he excluded the granting of citizenship, as he is requesting be done to us? In fact, the Romans, who today are the masters of the *ecumene*, have forbidden only Egyptians from acquiring any kind of citizenship (μεταλαμβάνειν ἡστινοσοῦν πολιτείας ἀπειρήκασιν). And he is so noble that, at the same time he has asked to enjoy a right which had been forbidden him, he has defamed those who had justly received this right (…).[17]

During the imperial age, possession of Alexandrian citizenship became, within the framework of the administrative practice defined by Augustus and his successors, a necessary condition for attaining the *civitas Romana*.

Four letters in the correspondence between Pliny and Trajan not only confirm what otherwise could be deduced from Flavius Josephus, but also provide us with several details regarding the procedure that had to be followed and the controls that the *a libellis et censibus* administrative office had to undertake before the *princeps*[18] would grant, *viritim*, the *civitas Romana* to a foreigner.

During the imperial era, apart from certain exceptions,[19] only the *indulgentia principis* could grant one the status of *civis Romanus*. Formally, this procedure (as attested to in the *tabula Banasitana*[20] and AE 1999, 1250[21]) required that the name of the beneficiary be registered in the *commentarius civitate donato-*

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17 Engl. Transl. by V. Marotta. In addition, see in the Latin version (the only one wherein this part of the work is contained: see Troiani [1977] 209ff.), Ios. *Contra Apionem* 2.72 *Nam Aegyptiis neque regum quisquam videtur ius civitatis fuisse largitus neque nunc quilibet imperatorum, nos autem Alexander quidem introduxit, reges autem auxerunt, Romani vero semper custodire dignati sunt*. The testimony of *Contra Apionem* 2.41–42 makes highly unlikely the theory incidentally advanced by De Martino (1975) 788, according to which the ban mentioned by Pliny may have derived from a decision by Trajan himself.

18 However, as Pliny the Younger observed in *epist*. 10.105 (cf. 10.104) *referri in commentarios meos iussi*, if the *ius Quiritium* was specifically granted by the *princeps*, it would have had to be noted down in a special register (*commentarius*) kept by an imperial secretary (*a libellis et censibus*).

19 In cases of the *manumissio* and the procedures that allowed the Latins of the honored communities, with the granting of the *ius Latii*, and the Latins that were free slaves (*ex lege Aelia Sentia*) to gain *civitas* status. See Besson's paper in this book.

20 *ILMaroc* 94.

21 See Frei-Stolba and Hans Lieb (2003). Cf. Plin. *epist*. 10.105; 10.106–107.

rum,[22] even though in all likelihood other registers existed for veterans,[23] and perhaps also for new citizens who had become so in virtue of the *ius Latii*.

This is the same procedure followed by Pliny the Younger, between the end of AD 98 (October–December) and the summer of AD 99,[24] in order to request[25] that the emperor Trajan grant *civitas* to an *iatraléiptēs* (a sort of chiropractor) named Harpocras, who had saved him from a serious disease. To show his total gratitude, Pliny urged the emperor to grant him Roman citizenship: Harpocras, he pointed out, had a foreign[26] status, being the freed

22 *ILMaroc* 94, ll. 22–29.

23 In this case the names of *milites* and veterans appeared in the imperial constitutions preserved in the military archives: see Behrends (1986) 123–125 part.

24 Plin. *epist.* 10.5.1 *Proximo anno, domine, gravissima valetudine usque periculum vitae vexatus iatralipten adsumpsi; cuius sollicitudini et studio tuae tantum indulgentiae beneficio referre gratiam parem possum.* 2 *quare rogo des ei civitatem Romanam. Est enim peregrinae condicionis, manumissus a peregrina. vocatur ipse Harpocras, patronam habuit Thermuthin Theonis, quae iam pridem defuncta est* …; 10.10.1 *Exprimere, domine, verbis non possum, quanto me gaudio adfecerint epistulae tuae, ex quibus cognovi te Harpocrati, iatraliptae meo, et Alexandrinam civitatem tribuisse, quamvis secundum institutionem principum non temere eam dare proposuisses. esse autem Harpocran* νομοῦ Μεμφίτου *indico tibi.* 2 *rogo ergo, indulgentissime imperator, ut mihi ad Pompeium Planta*m, *praefectum Aegypti, amicum tuum, sicut promisisti, epistulam mittas* … Plin. *ep.* 10.5.1 «When I was seriously ill last year, Sir, and in some danger of my life, I called in a medical therapist whose care and attentiveness I cannot adequately reward without the help of your kind interest in the man. I pray you therefore to grant him Roman citizenship. He is a resident alien, Harpocras by name, and was given his freedom by his patron, also alien. She was Thermuthis, wife of Theon, and died some time ago (…)»; 10.10.1 «Words cannot express my gratitude, Sir, for your letters telling me that have given my therapist Harpocras the additional grant of Alexandrian citizenship, although you had intended to follow the rule of your predecessors and grant it only in special cases. I now inform you that his district is Menphis. I pray you then, gracious Emperor, to send me your promised letter to Pompeius Planta, the prefect of Egypt»: Engl. Transl. by B. Radice. De Martino (1975) 789 n. 43, maintains that Pliny was in Egypt when he wrote this letter. If one considers the concluding part of Plin. *epist.* 10.10 in particular, this assertion appears unfounded. Pliny was residing in Italy, where he was waiting for the *adventus* of the *optimus princeps*, scheduled for the autumn of 99. Moreover, one must also keep in mind that between 98 and 99 Pliny was *praefectus aerarii Saturni*: see, in any event, Sherwin-White (1985) 575 ff.

25 This is also found in the *tabula Banasitana*: it was the public prosecutors in charge of the *Tingitana* who supported the request for Roman citizenship for the two *principes* of the *gens Zegrensium* and their families.

26 Volterra (1991a) 387, observes that the manumission by a foreigner according to his laws were fully recognized by the Romans, in the sense that the object of the manumission was considered to be free and belonging to the group of freedmen. In fact, Pliny, who wanted

slave[27] of a woman—the *patrona*[28]—named Thermutis, the wife of Theon,[29] who had died some time before.[30] Citizenship was immediately granted, as emerges from the following:[31]

> *ep.* 10.6.1 *Ago gratias, domine, quod et ius Quiritium libertis necessariae mihi feminae et civitatem Romanam Harpocrati, iatraliptae meo, sine mora indulsisti. Sed, cum annos eius et censum, sicut praeceperas, ederem, admonitus sum a peritioribus debuisse me ante ei Alexandrinam civitatem impetrare, deinde Romanam, quoniam esset Aegyptius.* 2. *ego autem, quia inter Aegyptios ceteros que peregrinos nihil interesse credebam, contentus fueram hoc solum scribere tibi, esse eum a peregrina manumissum patronam que eius iam pridem decessisse. de qua ignorantia mea non queror; per quam stetit, ut tibi pro eodem homine saepius obligarer.* 3. *Rogo itaque,*

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to gain Roman citizenship for his *protégé*, could not buy it and transform it into one of the three civil forms; the only means he had was to beseech the emperor to grant citizenship: see, in any event, *fgr. Dosith.* 12, which shows that the freedom of the freed servants of foreigners was overseen by the Roman magistrates.

27 Thus, the *protégé* of Pliny was not only a *peregrinus*, but the emancipated slave of a foreigner; in many Greek-speaking cities freedmen could not attain local citizenship. In view of the rules applied by the Roman administration, their *origo* was without doubt the same as that of the *patronus*. In order to accelerate the procedure, Pliny mentions the death of the *patrona*, but does not remember if any heirs existed. If they had and were still alive, they could have claimed rights which the Roman legal system recognized. In fact, if any direct heirs were still alive they would have inherited in part the rights of patronage with regard to the freedmen: Gai. *Inst.* 3.42, 45–46, 53.

28 For Volterra (1991a) 387, it is clear that the one granting manumission, even if a foreigner, would acquire the rights of patronage, at least those mentioned by Pliny. Evidently these were not the same rights of patronage recognized for Roman citizens who had been granted manumission, though they did not differ significantly, otherwise the use of the term in the *epistula* could not be explained.

29 These names conform to the name-days of Hellenized Egyptians; however, Theonis could also be an error in place of 'Thonis': cf. *M.Chr.* 11.2.304.

30 Plin. *epist.* 10.5. Volterra (1991a) 387 ff., observes that the freedman could not alter his *status civitatis* without the consent of his *patronus*. For this reason, Pliny is quick to note that Harpocras' *patrona* was dead (which he would repeat as well in his next letter). Volterra adds that the freed slave gains the *civitas* of the grantor of manumission and is subject to the same legal system. I would claim instead that only the second part of the statement is true: the freed slave is subject to the same legal system as the grantor of manumission, but it is not automatic that he will also gain *civitas*.

31 Vidman (1972) 29, emphasizes that what is missing is Trajan's answer to letter 5, though Pliny recalls, in another letter (6) that his request was received.

ut beneficio tuo legitime frui possim, tribuas ei et Alexandrinam civitatem et Romanam. annos eius et censum, ne quid rursus indulgentiam tuam moraretur, libertis tuis, quibus iusseras, misi.

Thank you, Sir, for your promptitude in granting full citizenship to the freedwomen of my relative Antonia, and Roman citizenship to my therapist Harpocras. But when I was supplying his age and property according to your instructions, I was reminded by people more experienced than I am that, since, the man is an Egyptian, I ought not to have asked for Roman citizenship for him before he became a citizen of Alexandria. I had not realized that there was any distinction between Egyptians and other aliens, so I had thought it sufficient to inform you only that he had been given his freedom by an alien and that his patron had died some time ago. I shall not regret my ignorance if it means that I can be further indebted to you on behalf of the same person; I pray you therefore to make him a citizen of Alexandria too so that I may lawfully enjoy the favour you have conferred. To prevent any further delay to your generous interest I have given the details of his age and property to your freedmen, as instructed.[32]

Harpocras was Egyptian because his *patrona* also belonged to that *ghénos*. Thus, possessing, along with all the other *Aegyptii* of the *nomói*,[33] limited *status civitatis*,[34] he would not have been able to obtain either Alexandrian or Roman

32 Engl. Transl. by B. Radice.

33 Here, and only here, there is an actual connection with the condition of the so-called *peregrini dediticii Aeliani*.

34 Volterra (1991b) 397, maintains, taking up the thinking of Betti (1947) 40–41, that in the ancient world the free physical person can only be legally conceived of as belonging to an organized political community: in other words, the *status libertatis* must necessary be accompanied by a *status civitatis*, understood as a given legal position attributed to the individual within a given system. «Chi è libero è necessariamente cittadino di uno Stato o suddito di Roma». Thus an individual's legal position and the protection granted that individual depend not on the fact that that individual is free but on his or her *status civitatis*. On this point some extremely perceptive observations can also be found in Mancini (2000) 108 ff., where the author states (page 109) «il *deditícius*, e prima ancora il *deditus*, il Campano membro di una comunità di cui si è cancellata ogni forma di vita autonoma (Liv. 26.16), non "appartengono" a nessuna comunità autonoma—per non dire sovrana—, ma sono certamente *liberi*, non *servi*, hanno certamente concessa dall'ordine giuridico romano la titolarità di alcuni rapporti, possono obbligarsi, tra di loro e nei confronti di cittadini romani, hanno assicurata (i *Campani* almeno) la *iurisdictio* di un *praefectus*

citizenship, confirming, moreover, what is written in Ios. *Contra Apionem* 2.42: "… only Egyptians were forbidden to obtain any citizenship [μεταλαμβάνειν ἡστινοσοῦν πολιτείας ἀπειρήκασιν]".

The *indulgentia* of the emperor was also granted in this case; however Trajan did not hide from his *protégé* his regret at being led by the pleadings of a friend to violate a long-standing practice followed by all his predecessors:

> Plin. *ep*. 10.7 *Civitatem Alexandrinam secundum institutionem principum non temere dare proposui. sed, cum Harpocrati, iatraliptae tuo, iam civitatem Romanam impetraveris, huic quoque petitioni tuae negare non sustineo. tu, ex quo nomo sit, notum mihi facere debebis, ut epistulam tibi ad Pompeium Plantam, praefectum Aegypti, amicum meum, mittam.*
>
> Following the rule of my predecessors, I do not intend to grant Alexandrian citizenship except in special cases; but as you have already obtained Roman citizenship for your medical therapist Harpocras, I cannot refuse this further request. You must inform me of the man's district so that I can write you a letter for my friend Pompeius Planta, the prefect of Egypt.[35]

Obviously Trajan could have, if he had wanted to, go against the rules established by law or sanctioned by pre-existing administrative practice:[36] but the *optimus princeps*, as Pliny himself emphasizes by using the adverb *legitime* (*Rogo itaque, ut beneficio tuo legitime frui possim, tribuas ei et Alexandrinam civitatem et Romanam*),[37] had committed himself to respecting this practice.[38]

In any event, it would have been more difficult for Trajan to grant Harpocras citizenship in Naukratis or Ptolemais (at that time the only other Greek cities in Roman Egypt)[39] rather than in Alexandria, as in the first case it would have

nominato dal popolo, sono—per quanto limitati—quelli che noi chiameremmo soggetti giuridici».

35 Engl. Transl. by B. Radice.

36 See in this regard Marotta (2016) 55 ff., 63 ff.

37 This incident also shows that instituting dual citizenship did not cause particular problems in the imperial age; see Böhm (1958) 11 ff., 27 part. A brief *status quaestionis* in Marotta (2009) 91 ff., for a bibliography.

38 Volterra (1991a) 389, states that the granting of citizenship by the emperor had legal effect only if the conditions existed whereby the beneficiary himself was in the legal condition to be granted such citizenship. Obviously, this was true only to the extent the emperor intended to respect the existing regulations, since he had the power to modify these at any time.

39 See also Geraci (1995) 62.

been necessary to obtain a resolution (*dokimasía*) of their *boulái*, while in the second it was enough to provide specific instructions to the *praefectus*.[40] However, Alexandria was also chosen for another reason. It is well-known that in this city there was a «roll» (*tabula*) of the birth announcements and a "book of the *probationes*", which registered, after verification (*probatio*, in fact), recognition of citizenship for the adult natural children[41] of the new citizens (veterans for the most part).[42] In this regard, one could advance the theory that the *origo* of the *cives Romani* in Egypt, at least until Hadrian's rule, coincided consistently with the city of Alexandria.[43]

These letters by Pliny,[44] along with the testimony of Flavius Josephus mentioned above and § 55 of the *Gnōmōn* of the *Ídios Lógos*,[45] clearly attest to the fact that an Egyptian could not, as such,[46] obtain the *civitas Romana* if previously he had not been granted another citizenship; that is, one based on the specific administrative process of that province, in this case Alexandria.

There is more, however. We know that, based on regulations referred to in the *Gnōmōn* of the *Ídios Lógos* (§ 55), Egyptians were prohibited from enrolling in the legions. What was the reason for this specific ban? Although foreigners normally enrolled in the auxiliary corps, several documentary sources, basically

40 Plin. *epist.* 10.7 and 10.10. Proof of the existence of the *boulē* in Ptolemais is found in *SB* 9016, which preserves documents from AD 49 to AD 160. On the other hand, Alexandria did not have a Council or an *ekklēsía* until Septimius Severus. In fact, these issues were within the competence of the *praefectus Aegyptii*: cf. *Gnōmōn Idiologi* § 40.

41 *FIRA*[2] *Negotia* III, pp. 5–18, nn. 2–7. Alexandria was certainly a Greek city; however, linked to it was the community of Roman citizens in Egypt. See on this point Thomas (1996) 7 and 89.

42 This hypothesis appears extremely likely also in light of what emerges from an examination of *PSI* n. 1226.

43 Obviously, unless they were not already *polítai* of Ptolemais, Naukratis or Antinoopolis. For Jouguet (1911) 74, Alexandrian citizenship would have been requested because Harpocras belonged to the *nomós* of Memphis. If, on the other hand, the patron had been from Thebaid, then in order to become Roman Harpocras would have had to first obtain citizenship from Ptolemais. This supposition is not at all persuasive. Instead, it is obvious that the *polítai* of Ptolemais or Naukratis, who had obtained the *civitas Romana*, would have maintained their *origo* in those towns.

44 Regarding which, as a whole, see the important contribution by Geraci (1995) 59 ff., along with Gonzales (2002) 35 ff., which also contains other references.

45 See below p. 182.

46 Christian Sasse's hypothesis in Sasse (1958) 80, cannot be shared. According to him, the ban concerned solely the freedmen and not all Egyptians.

confirming what we learn from a famous passage from Aristides' *Panegyric of Rome*,[47] mention rare cases of recruitment in those units of non-citizens from other non-Egyptian provinces. However, in the event they enrolled in one of the *iustae legiones*, the required status—that is, the *civitas*—was granted to them before their actual inclusion in the military ranks. On the other hand, for Egyptians the rules established by the imperial power absolutely forbade the granting of Roman citizenship, even at the time of their recruitment, unlike what took place, though sporadically, with other foreigners enrolled in the legions.

A regulation in the *Gnōmōn* of the *Ídios Lógos*[48] is explicit in this regard (as noted above). It is obvious that this ban did not apply to Roman citizens residing in Egypt, to the *origo castris*,[49] or to the Alexandrians (as well as to the other *astói*). However, it is more difficult to determine what the situation was in this regard for the privileged Greeks (the *epikekriménoi*)[50] of the Egyptian *chōra*, though it is likely that, at least while Trajan was emperor,[51] they were also, like the inhabitants of the province (who had to pay the entire *laographía* from fourteen years of age onward), excluded from any form of *militia*, except for service in the fleet (*classis*).

The board of review, which oversaw conscription (*dilectus*), thus had to verify the existence of several indispensable legal assumptions:

> ἐὰν Αἰγύπτ[ιο]ς λαθὼν στρατεύσηται[ι ἐ]ν λεγ\ε/ῶνι, ἀπολυθ[εὶς εἰ]ς τὸ | Αἰγύπτιọ[ν] τάγμα ἀποκαθίστατ[αι]. ὁμοίως δὲ καὶ οἱ ἐκ̣ [τοῦ] ἐρε-|τικọῦ ἀπ[ολ]υθέντες ἀποκαθίστανται πλὴν μόνων τῷ̣[ν] ẹκ | Μισηνῶν [σ]ṭόλου.

> If an Egyptian had served in a legion, without this being recognized as such (unobserved = λαθὼν), once he had obtained the *missio* (discharge) he returned to his status as an Egyptia. Likewise, those discharged from

47 Ael. Aristid. εἰς Ῥώμην (*or.* 26 Keil) § 75.

48 § 55.

49 For a general overview, see Le Bohec (1989) 495–503, who appropriately recalls that even in epigraphs the expression *origo ex castris* (certainly more correct grammatically speaking) does not appear.

50 This expression does not indicate the inhabitants of the Greek cities (Alexandria, Naukratis, Ptolemais, Antinoopolis), but the *Héllenes* of the *metropoleis*, as distinct from the mass of the indigenous population, which was instead obliged to pay the entire *laographía* (*tributum capitis*), as they were exempt, in part or entirely, from this tax, which varied in the Egyptian towns.

51 See below, pages 187 f.

> service as a rower return to their former status (πλὴν μόνων τῶ̣[ν] ἐ̣κ | Μισηνῶν [σ]τ̣όλου), with the exception of those in the Misenum fleet.[52]

Egyptians enrolled mainly in the *classis praetoria* in Misenum. Similar to the veterans in the *auxilia* or the *equites singulares*, those in the fleet received an award, after at least 25/26 years of service, at the time of the *honesta missio*: Roman citizenship. Therefore, *equites singulares* and *classiarii* became *cives* only at the time of an honorable discharge.

What *status civitatis* applied during a long conscription? In the case of the *equites singulares* several clues lead one to assume that they obtained the *civitas Latina* upon enrolling: for example, the fact that, based on enrolments, 90% had an imperial name (*gentilicius*).

From the rule of Vespasian onward all navy soldiers certainly had the *tria nomina*.[53] In this regard, Silvio Panciera[54] has rightly observed that one can, and must, doubt all those theories based on the assumption of the correctness of a total separation between legal status and system for naming individuals, especially if we consider that a constant naming formula always corresponds to a defined group (in this case, the *classiarii*). In short, from the legal point of view regarding the recruitment procedure, the attribution of the *tria nomina* attests to the transition from a status characterized by the possession of a *status civitatis* to one that allowed possible future attainment of the *civitas Romana*.

Let us now examine an actual case by considering two short letters written by the same person dating to, based on paleographic evidence, the first decades of the second century AD. Both letters are composed of a single sheet of papyrus and were found where the recipient lived: Fayyum, a region in western Egypt, along one of the branches of the lower Nile. This was also the previous residence of the writer of the letter, a young man with the Egyptian name of Apion.[55] In the first one, addressed to his father, he talks about his health and the trip that took him from Egypt to Misenum, where he enrolled in the *classis*. Once there he immediately received a *biatikón* of three gold coins, the equivalent of 75 drachmas (*denarii*). In this letter, despite its basic touching

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52 Engl. Transl. by Valerio Marotta.

53 The study concerning epigraphs had convinced Victor Chapot (Chapot [1896] 181) that the *classiarii* were included among the Latins. For further information see Forni (1986) 310–311 and note 50. According to Parma (1992) 215, who revives Forni's thought, the onomastic change did not necessarily lead to acquiring the juridical *status* of Latin, but it was a way to meet the needs of the Military Registry Office in drafting and copying the recruits' names.

54 Panciera (2006) 1411–1414.

55 BGU II 423 = *Select Papyri* n. 112. Klauck (2011) 30–43, part. 30–34, bibl. 30 and 36.

quality, the new sailor informs his parents that all his future correspondence should be addressed to Antonius Maximus, the new name the officials of the *probatio* had given him upon his enrolment in the military:

> Apion to Epimachos, his father and master, many greetings.
> First and foremost, I make a vow that you are well, and that in thorough health you are happy along with my sister, her son and my brother.
> I thank Master Serapis, who immediately saved me at sea when I was in danger. When I entered Misenum, I received from Caesar (as) a *viaticum* (travel and living expenses) three *aurei.* I am doing well.
> I thus ask you, father and master, first to write me about your health, secondly, about that of my siblings, and thirdly that I may kiss your hand (on bended knee) (ἵνα σου προσκυνήσω τὴν χέραν), for having brought me up well, thanks to which I hope soon to make progress with the blessing of the gods. I send warm greetings to Capiton and my siblings and to Serenilla and my friends.
> I sent you a sketch of myself by means of Euktemon. My name is Antonius Maximus (ἔσ[τ]ι [δέ] μου ὄνομα Ἀντῶνις Μάξιμος).
> I make a vow that you are well. Centuria Victoria in the name of Athens (Athenonike)».
> *added in the left-hand margin*
> «Serenos (son) of Agathodemones salutes you … and … son of … ros and Turbon (son) of Gallonios, and D … nas son of …»
> *Verso* (*outside address*)
> «In Philadelphia to Epimachos, from your son Apion.
> *in the opposite direction* (*added address*)
> Deliver to the first cohort of the Apamei of I(ulia)nos … *antilibrarios*, from Apion, to be delivered to Epimachos, his father.[56]

56 Engl. Transl. by V. Marotta: Ἀπίων Ἐπιμάχω τῶι πατρὶ καὶ | κυρίῳ πλεῖστα χαίρειν. Πρὸ μν πάν- | των εὔχομαι σε ὑγιαίνειν καὶ διὰ παντὸς | ἐρωμένον εὐτυχειν μετὰ τῆς ἀδελφῆς | μου καὶ τῆς θυγατρὸς αὐτῆς καὶ τοῦ ἀδελφοῦ | μου. εὐχαρισθῶ τῷ κυρίῳ Σεράπιδι, | ὅτι μου κινδυνεύσαντος εἰς θάλασσαν ἔσωσε εὐθέως. ὅτε εἰσῆλθον εἰς Μη- | σήνους, ἔλαβα βιατικὸν παρὰ Καίσαρος | χρυσοῦς τρεῖς καὶ καλῶς μοί ἐστιν. | ἐρωτῶ σε οὖν, κύριε μου πατήρ | γράψον μοι ἐπιστόλιον πρῶτον | μν περὶ σωτηρίας σου, δεύ- | τερονπερὶ τῆς τῶν ἀδελφῶν μου, | τρ[ί]τον, ἵνα σου προσκυνήσω τὴν | χέραν ὅτι με παιδεύσας καλῶς | καὶ ἐκ τούτο ἐλπίζω ταχὺ προκό(μι-|) σαι τῶν θε[ῶ]ν θελόντων. ἄσπασαι | Καιπίτων[α πο]λλὰ καὶ τούς ἀδελφούς | [μ]ου καὶ Σε[ρηνί]λλαν καὶ τούς φίλούς μο[υ]. ἔπεμψά σο[ι εἰ]κόνιν μο[υ] διὰ Εὐκτή- | μονος. ἔσ[τ]ι [δέ] μου ὄνομα Ἀντῶνις Μάξιμος ------------- ἐρρῶσθαί σε εὔχομαι. | κεντυρί[α] Ἀθηνονίκη. In the left-hand margin, perpendicular to the main text (as an addition) ἀσπάζεταί σε

A second letter,[57] addressed to his sister Sabina, was instead written several years later, as shown by the fact that Apion was living with a woman (a certain Aufidia) and was already the father of three children:

> Antonios Maximos (Ἀν[τώνι]ος Μάξιμος) fondly greets Sabina, /his sister. I pray above all / that you are well; for my part, I am well.
>
> While I was thinking of you / before the gods here, / I received a letter from Antoninos, / our compatriot: When I heard / that you were well I was overjoyed. / and on any occasion / I shall not hesitate to write you about my health / and that of my family.
>
> My warmest greetings to Maximos and / Kopres, my master. / My wife (or my companion: *ē sýmbios*), / Auphidia sends you her greetings as does Maximos, / my son, whose birthday is the thirtieth day of Epeiph / according to the Greek calendar, / as well as Elpis and Fortu/nata. Give greetings to the master.
>
> [there follows a space of six illegible lines (22–27), probably also containing other greetings]
>
> I hope you stay well.
>
> *verso* (*outside address*)
>
> To my sister Sabina, from her brother Antonios Maximos (ἀπ[ὸ] Ἀντ[τω]νίου Μαξίμ[ο]υ αδελ[φοῦ]).[58]

As regards the legal status of the *classiarii*, who were for the most part Egyptian, the two letters from Apion to his father and sister show that, at the time of the *dilectus*, the sailor was given the name of Antonius Maximus. In fact, beginning

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Σερῆνος ὁ τοῦ Ἀγαθοῦ [Δα]ίμονος [καὶ …]ς ὁ τοῦ […] -ρος καὶ Τούρβων ὁ τοῦ Γαλλωνίου καὶ Δ[…]νᾶς ὁ τ[οῦ …]σεν | […] | […] |[…].[…].[-----] / *verso* of outside address ε[ἰς] Φ[ιλ]αδελφίαν Ἐπιμάχω ἀπὸ Ἀπίωνος υἱοῦ. / in the opposite direction (added address) ἀπόδος εἰς χώρτην πρίμαν Ἀπαμεα̣ῶν Ἰο[υλι]ά[ν]ου Ἀν.[…] | λιβλαρίῳ ἀπὸ Ἀπίωνος ὥστε Ἐπιμάχῳ πατρὶ αὐτοῦ.

57 *BGU* II 632. Bibl. in Klauck (2011) 30–43, part. 34–36, bibl. 30, 36.

58 Engl. Transl. by V. Marotta: Ἀν[τώνι]ος Μάξιμος Σαβίνῃ | τῇ ἀδελφῇ πλεῖστα χαίρειν. | πρὸ μν πάντων εὔχομαι | σε ὑγιαίνειν, και ’γω γὰρ αὐτὸς | ὑγιαίν[ω]. μνίαν σοι ποιούμε-| νος παρὰ τοῖς [ἐν]θάδε θεοῖς | ἐκομισάμην [ἕ]ν ἐπι[σ]τόλιον | παρὰ Ἀντωνε[ί]νου τοῦ συν-| πολ[ε]ίτου ἡμῶν. καὶ ἐπιγνούς | σε ἐρρωμένην λίαν ἐχάρην. | καὶ ’γω διὰ πᾶσαν ἀφορμὴν | ο[ὐ]χ ὀκνῶ σοι γράψαι περὶ | τ[ῆ]ς σωτηρίας μου καὶ τῶν | ἐμῶν. ἄσπασαι Μάξιμον | πολλὰ καὶ Κοπρὴν τὸν κύριν | μ[ου. ἀ]σπάζεταί σε ἡ σύμβι-|ός [μου Αὐφιδία καὶ Μάξιμος | [ὁ υἱός μ]ου, [οὗ] ἐστι[ν] τὰ γενέ-| [σια Ἐ]πειπτριακὰς καθ’ Ἑλ-|[λην̣α̣]ς, καὶ Ἐλπὶς καὶ Φορτου- | [νᾶτα]. ἄσπ[α]σαι τὸν κύριον | [six other lines were destroyed] | [ἐρρῶσθαί σε εὔχο]μαι. *verso* / [Σαβίνῃ] ἀ[δε]λφ[ῇ] ἀπ[ὸ] Ἀντ[τω]νίου Μαξίμ[ο]υ αδελ[φοῦ].

with the *superscriptio* in the second letter, Apion adopts his new Roman-Latin name, which was not, as the context shows, a usurped name.

Hans Josef Klauck[59] has recently stated that none of this would have any legal value in itself, since Roman citizenship was granted to soldiers of the fleet only at the moment of the *honesta missio*, after a minimum of 25/26 years of service. Nevertheless, this would lead to misleading conclusions based on an observation, though undoubtedly correct, which would diminish the value of these documents. Instead, this change in the naming system is linked more appropriately to an equivalent change in *status*, which is necessarily referable, in my judgment, to *Latinitas*.

An Egyptian, as such, was not able to directly obtain the *civitas Romana*. Because they were recruited in Egypt, the sailors in the Misenum fleet[60] (unlike the *auxiliares*, who retained their status as foreigners until they were honorably discharged) obtained a *status civitatis*—that is *Latinitas*—which would have permitted them to obtain *civitas Romana* at the conclusion of their service without violating the general rule that discriminated against Egyptians. The mechanism used in this case was probably analogous or similar to that devised by the *lex Iunia Norbana*, whereby one pretended that the manumitted slaves were informally freed in the same way as *cives Romani ingenui* who, brought from Rome to the Latin colonies, began to be *Latini coloniarii*.[61] One could imagine that the *classiarii*, based on an imperial measure with the same legal value as a *lex publica*, were attributed such a *status*; a *status* which would have also granted them, during many years of service, the *ius commercii* with the *cives Romani* and the *Latini* (freedmen and other *classiarii*) of the place.[62]

The meaning of the evidence is undeniable: the *Contra Apionem*, Pliny's letter, § 55 of the *Gnōmōn* of the *Ídios Lógos*,[63] and, clearly, even the two letters from the *classiarius* Apion,[64] show without a shadow of a doubt that Egyptians

59 Klauck (2011) 33.

60 This date is absolutely certain, as it is explicitly confirmed in § 55 of the *Gnōmon* of the *Ídios Lógos*. In fact, this affirms that the sailors in the Misenum fleet, unlike the rowers who, for example, served in the *classis Alexandrina*, could obtain the *civitas Romana* at the end of their military service.

61 Gai. *Inst.* 3.56: see Bianchi (2012), 1 ff., 9 ff. part., along with other letters.

62 *Tit. Ulp.* 19.4. The *Latinus Iunianus* did not have *testamenti factio*: see *Tit. Ulp.* 20.14. However, it is not conceivable that the *classiarii* were deprived of this. Being soldiers, they would in any case have been able to enjoy the *testamentum militis* which allowed them (Gai. *Inst.* 2.110) to name heirs that were either foreigners or Latins, or to leave them a bequest.

63 Egyptians were forbidden from enrolling in any military corp except the *classis*.

64 *BGU* II 423 = *Select Papyri* n. 112; *BGU* II 632.

were prohibited from directly obtaining the *civitas Romana*. However, it is legitimate to ask whether this discrimination involved all the inhabitants of the *chōra* or the *nomói*, and thus the members of the privileged classes as well, of Greek origins, in the *kōmai* and the principal centers of the Nile Valley: the *apó tou gymnasíou* and the metropolites and the descendants of the 6,475 *kátoikoi* of the Arsinoite nome.[65]

The documents as a whole enable us to answer this question by asking another question containing an observation whose reasonableness is difficult to refute: why would Trajan have granted Harpocras the prestigious Alexandrian citizenship, thereby violating a practice scrupulously followed by all his predecessors, if there truly were an intermediate status,[66] between Egyptians and *astoí*,[67] which by law would have permitted direct attainment of the *civitas Romana*?

Based on this documentation, we can put forth the theory that the Egyptians, at least at the start of the second century AD, were, unlike the majority of the other foreigners residing in the Roman world, the equal of the *peregrini dediticii Aeliani* in this regard.[68] Precisely for this reason, upon enrolling in the Misenate fleet they were granted (through a regulation based on a mechanism that was most likely similar to the *fictio legis Iuniae Norbanae*) the same *status* as the *Latini*.[69]

Nevertheless, the above considerations should be viewed as definitive evaluations only if they refer to Trajan's rule, since, for example, if we consider the last half of the second century or the third century, they do not fully apply. In fact, with Hadrian, and especially after him, the institutional framework of Egypt—as reconstructed in light of Pliny's correspondence and Flavius Josephus's *Contra Apionem*—was profoundly modified. The *apó tou gymnasíou* and

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65 See *P. Oxy* III 574 (II s.); *P. Flor.* 1, 23, 4 (AD 145); *P. Oxy* IV 727, 6 (AD 154); *P. Lond.* II, 348, 6 (AD 205).

66 That, in fact, of the *apó tou gymnasíou* and the residents of the *metropóleis*.

67 *Polítai* of Alexandria, Ptolemais or Naukratis.

68 In other words, the Egyptians were not affected by all the other bans that implied the second-class status of these freedmen.

69 In any event, even though there are some similarities between the status of the Egyptians and that of the so-called *dediticii Aeliani*, it is also true that the former, compared to the latter, enjoyed under certain conditions several means of gaining the *civitas Romana*. However, as will be show below, this did not mean that the inhabitants of Egypt, including peasants subject to the *laographía* (*tributum capitis*), were numbered among the *dediticii*. A definition of this category of individual (*dediticii*) is found in Gai. *Inst.* 1,14 and in Isid. *Etymol.* 9.4.49–50.

the metropolites, in their quality as *epikekriménoi*, represented an intermediate category between the true Egyptans—also called *laographouménoi*, as they had to pay the entire *tributum capitis*—and the *polítai* of the Greek cities.[70]

However, this status, no matter how disadvantageous from the fiscal point of view, was not necessarily such as to deprive them, after the midway point of the second century, of all means of gaining the *civitas*. Otherwise, how would one explain the documents, all in fact produced after Hadrian's rule, in which several Roman citizens do not refer in their statements to either the Alexandrian *origo* or that of some other Greek city in Egypt, but instead state they came from a *nomós*?[71] It is difficult at least in one case—the declaration by a well-known and important family from Arsinoë—to imagine the individual involved was a veteran of the *classis*, or a son or grandson of an ex-sailor in the Misenum fleet.

In other words, the definition of the personal statutes in this province, on the eve of the *constitutio Antoniniana*, had at least in part to differ from that during Trajan's rule. Neither could the Egyptians be identified as a group (also including in this category the metropolites and the *apó tou gymnasíou*), with the so-called *dediticii* mentioned on line 9 of *P. Giessen* 40 col. I.[72] The theory that they (that is, the *dediticii*) were made up of all the inhabitants of the *chōra* or the *nomói* who were obliged to pay the *tributum capitis*[73] would appear to be contradicted by several documents that refer to the names of Egyptians subject, before the year AD 212, to this payment: nevertheless, after emancipation under *constitutio Antoniniana* these individuals were granted Roman citizenship.[74]

Between the second and third century AD Egypt underwent a radical process of institutional adjustment with respect to most of the other regions of the Empire. Administrative autonomy, linked to the introduction around AD 202 of the *boulē* in the *metropoleis* (and its return, after some two hundred years, to Alexandria), was probably followed by a new definition of the local ruling

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70 Alexandria, Naukratis, Ptolemais and, under Hadrian, Antinoopolis. Some doubts exist, despite Strabo *geogr.* 17.1.14, regarding the condition of Paretonion, a coastal city and port to the west of Alexandria; however, see, in any event, Martin Jones (1971) 307.

71 On this geographical and administrative subdivision in Egypt, see Marotta (2009) 89, and note 11 above.

72 See below, page 189, and note 76.

73 This theory is put forth by Paul Martin Meyer (see below, note 76).

74 *P. Mich.* inv. n. 5503; Pearl (1951) 193; *SB* 6.9128, which is particularly important, as it shows us a taxpayer who, before 212, did not have a Roman name, while after the *constitutio Antoniniana* he took one.

class. For example, several important changes in the naming system appear to be connected on the social level to this Severan measure. Numerous *bouletái* of Egyptian origin probably would have taken a Greek name on that occasion (very often a mere literal translation of that original name) in order to adapt to the new situation. This event was not without significance, since, as is known, before then Egyptians could not change their name without specific authorization.[75] Unless one assumes a total separation between the legal situation and the naming system, this fact must be appropriately considered in terms of the definition of their legal status. Thus, it is no coincidence that Paul Martin Meyer assumed that in Egypt only these privileged classes had obtained the *civitas* by means of the *constitutio Antoniniana*.[76]

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75 This possibility granted the *bouletaí* of Egyptian origin emerges from an examination of the *P. Amst.* I 72: cf. Van Minnen (1986) 87 ff. The ban imposed on native Egyptians from changing their name is affirmed by *Select Papyri* n. 301 from AD 194: this was a petition sent by a certain Eudaimon to the *Idiologus* Claudius Apollonius. This regulation probably prohibited individuals from changing their name (Greek or Egyptian, it made no difference) when these were registered in the provincial archives, so as not to hinder the periodic operations of the *census*, which mainly involved those (principally Egyptians, who were peasants tied to their *idía*) who were subject to taxes such as the *laographía*. Clearly, whatever the reason for the measure, for Egyptian peasants this ban represented another sign of their second-class status.

76 See Meyer (1910) 32. However, he had basically come to the same conclusion well before the discovery of the *P. Giessen*: cf. Meyer (1900) 136 ff., 141–142, as well as 114. In his opinion, the *laographoúmenoi* would have been excluded from this concession, while it would have been granted to the administrative functionaries, the pre-eminent families of the *mētropóleis* and the *kōmai*; the Greek-Egyptians of the *mētropóleis* and the *kōmai*, already involved in Septimus Severus's reign in management of the *munera*, a certain number of the *hiereís*, all the *cives* of Alexandria (and of the other *poleis* as well), and all the *kátoikoi*. Meyer's view, which was already defined in 1900, is closely linked with that of Mommsen and Mitteis. Theodor Mommsen, who had died in 1903 and obviously could not study the *P. Giessen* 40 I, which was only published in 1910, at first held that the *constitutio Antoniniana* had granted Roman citizenship only to those who were citizens of the various *civitates* of the Empire. All others would have been excluded, and these, being *adtributi*, would have kept their second-class status as subjects of one of these cities: Mommsen (1905) 418–419. Mommsen included in this category all Egyptians, with the exception of the *polítai* of the Greek cities (Alexandria, Ptolemais, Naukratis, and later Antinoopolis). The same view was held by Mitteis (1891) 159. Influenced later by the growing number of papyri discovered (Mommsen [1899] 123–125), Mommsen changed his opinion. The introduction of the *bouláí* in the metropolises of the *nomói* would lead to the inclusion of some Egyptians, who were basically identified with the *bouletái*, among the recipients of the *civitas Romana*.

The granting of Roman citizenship in AD 212 was thus preceded, at least in Egypt, by a slow yet uninterrupted process of adaptation regarding the institutional aspects of Greek-Roman tradition. In other words, despite the persistent disdain of the Roman ruling class toward the native inhabitants of this province, Tacitus's representational image of the Egyptian farmer "who is ignorant of the laws and pays no heed to the magistrates"[77] was no longer considered by the imperial authorities in Severus's reign as corresponding to reality.

In short, the granting of Alexandrian citizenship allowed foreigners exempt (in the same way as the *cives Romani*, moreover) from the personal tax (*capitatio*, *laographia*) to gain entry into the circle of the elite, and distinguished them legally from the *Aegyptii* (*Aigýptioi*), a heterogeneous group which contained, on the one hand, the inhabitants of the *chōra* of Greek culture, who were exempted from half of the tax, and on the other the indigenous population, which had to pay the full amount. In other words, Egyptian society during the imperial era had a rigid hierarchy of statutes which were mutually exclusive in the absence of specific imperial intervention (as seen in the case of Harpocras). However, in order to assess the nature of the social subdivisions in this province one must examine, in addition to the *status civitatis* of its population—*cives Romani, cives peregrini* (*Alexandrian* and the other *astói*), *peregrini Aegyptii*—its unique fiscal system as well.

In fact, above all else the tax was a determinant of *status*. The means of its payment, the possibility of being exempt wholly or in part due to a benefit granted to an individual either as a private citizen or member of a particular community, created a class structure sanctioned by the ruling power itself, and at the same time a hierarchy setting out precedence for the communities of the same province, where different *politéumata*, cities, *génē*, *tágmata* and as a result, individuals of variously defined social classes lived side by side.[78]

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77 Tac. *hist.* 1.11.1. A different view of the Egyptian *nómoi* can be found in Diod. 1.93–94. However, prejudice against the native inhabitants of Egypt was extremely widespread in the Mediterranean region. It suffices to mention Juvenal's *Satire* 15. Also of interest is the *Passio Perpetuae et Felicitatis* 10: a well-educated young Christian girl who represented the quintessence of evil and the human image of Satan himself, manages to think only of a 'repellent Egyptian' (*Aegyptius foedus*). Cf., in addition, the words used by Caracalla and his administrative office in AD 215 to define the Egyptians; expressions that perfectly show the resentful disdain directed at the rural masses of this province: *P. Giessen* 40 col. II, ll. 16–29.

78 In this manner, political distinctions and, in the end, complex social hierarchies were

3 The *Tabula Banasitana* and the Safeguarding Clause of Papyrus Giessen 40 col. I

The above considerations represent a good input for formulating an opinion on the controversies raised by the interpretation of the safeguarding clause on lines 8 and 9 of the *P. Giessen* 40 col. I: a discussion which, unfortunately, dried up into a sterile debate on the significance of the words *chorís tōn dedeitikíōn* ("with the exception of the *dediticii*" line 9), and which often does not even take into consideration the few certainties of historiography over time.[79] Already in 1925 Gino Segré[80] had shown that (gaining, moreover, the immediate and authoritative consensus of Gaetano De Sanctis)[81] in terms of syntax the words *chōr*[*ís*] *tōn* [*de*]*deitikíōn* can only be collocated with *ménontos* («except for ...») and not by the main clause introduced by *dídōmi*. This is the equivalent of saying that the *dediticii*[82] would not in any event have been excluded from the main concession, that is, of the *civitas Romana*, but solely of the provisions referred to the safeguarding clause (introduced by *ménontos*).

If the *Tabula Banasitana* text on the Giessen papyrus, in particular on the clause introduced by *ménontos*, had not been available from the start of the 1960s, it would have made sense to practice the so-called *ars ignorandi* and agree with Segré's conclusions.

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created among these groups. Not coincidentally, these differences were implied through the use of a *lexis* common to these individuals and to the cities (honor, splendor, dignity, full rights); see Lendon (1997) 272 ff. part.

79 See, for example, De Martino (1975) 782. The well-known scholar undertook a thorough study in which he never tried to hide the many interpretative pitfalls in this document, emphasizing that «... reasons of style and grammar suggest referring the exclusion of the *dediticii* to the clause introduced by the word *ménontos*» (cf. above, note 76), observing in the end: «if this is the historical conclusion, then the text of the Giessen papyrus excluded the *dediticii* from being granted Roman citizenship, which necessarily implies a connection between that exclusion and the clause in the incomplete part. It can also be admitted that this clause, which immediately refers to those granted citizenship, is an aside in the text, while the *chōrìs tōn dedeitikíōn* is instead directly connected with the words of the conferment. The document is certainly not an example of good style, but for the sake of attributing stylistic perfection to the unknown translator of the constitution one should not offend the logic of the text and of history» (English transl. by V. Marotta).

80 However, see Segré (1938) 126 note 1, 129 note 1, 230 ff., for other references to the philological debate following the discovery and publication of the papyrus.

81 De Sanctis (1972a) 726 f.

82 Taken as certain to have been an addition, which in fact it was not.

However, this epigraphic document highlights a new factor that decidedly influenced the subsequent debate.[83] Of fundamental importance are several lines of the third part, which coincide with an extract from the *commentarius civitate Romana donatorum*, the register kept in Rome containing the name, age and the *origo* of the *cives* who had gained that status by viritane grant.[84] These lines perhaps fill in the gaps from lines 8 and 9 of the *P. Giessen* with a radically different theory from that set forth beginning with the 1910 *editio princeps*:

> ll. 35–37 … *his civitatem Romanam dedimus, salvo iure gentis et sine deminutione tributorum et vectigalium populi et fisci.*
>
> … we grant Roman citizenship to them, preserving the law of the tribe and without harm to the taxes and duties of the People or the Imperial Purse.[85]

According to William Seston,[86] based on a comparison between the safeguarding clause in lines 8 and 9 of the Giessen Papyrus, the participle *ménontos* and that referred to in the *Tabula Banasitana* lead to the following hypothesis regarding the missing parts of lines 8 and 9: «*ménontos tou dikaíou tōn politeumátōn chorís tōn dedeitikíōn*» («salvo iure civitatum praeter dediticios» «except for the right of the political communities with the exception of the *dediticii*»). Therefore, the expression "right of the political communities" would indicate the legal order of each *civitas* (*póleis*, *municipia*, *coloniae*, etc). As a result Caracalla probably granted all the inhabitants Roman citizenship, even the *dediticii*; however, unlike the *politéumata*, the latter would not have the safeguarding of their unique legal traditions guaranteed. This theory is not very convincing. In fact, there was no need for legal recognition of existing customs or local rights.[87]

If, however, the words *ménontos tou dikaíou tōn politeumátōn* (to be compared with the expressions *salvo iure gentis* and *salvo iure civitatum*) contained

83 Torrent (2012) 65ff. part., continues, however, to follow a different path, denying any importance to the comparison between the *tabula Banasitana* and *P. Giessen* 40 col. I, ll. 7–9.

84 *ILMaroc* 94: see Migliario (1999); Gagliardi (2006) 241 n. 303, 280f. and n. 432, which contains a bibliography; Torrent (2012), along with other letters; Purpura (2013b), which contains a bibliography.

85 Engl. Transl. by V. Marotta.

86 Seston and Euzennat (1971).

87 See Marotta (2009) 133ff., which contains a bibliography.

a reference to the legal order of each *civitas*, that is, the structure of things based on which each *polítēs* and each resident had his *status*, and thus his *ius* (which was not always advantageous), one could perhaps come up with a theory that would clarify this issue. It is necessary to ask oneself if the addition of [*de*]*deitikíōn* in *P. Giessen* 40 is the only one possible.[88] In the author's view, another hypothesis is equally, if not more, convincing in light of a comparison with the *Tabula Banasitana*. Line 9 could be completed with [*ad*]*deitikíōn*—a transliteration from the neuter *additicia*[89]—rather than with [*de*]*deitikíōn* (8. … [*m*]*énontos 9.* [*tou dikaíou tōn politeum*]*átōn chōrís tōn* [*ad*]*deitikíōn*) 8. "… except for 9. the right of the political community with the exception of the supplementary ⟨regulations⟩» «*salvo iure civitatum praeter additicia* ⟨*iura*⟩»".[90]

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88 This was already explicitly excluded back in 1934 by De Sanctis (1972) 900 ff., even though one cannot share his hypothesis, even in light of all the subsequent studies, according to which the P. *Giessen* 40 col. I does not contain a copy of the *constitutio Antoniniana*.

89 Oliver (1972).

90 In this case we can imagine that lines 7–9 would sound in Latin as follows: «*omnibus peregrinis per universum orbem civitatem Romanam do, salvo iure civitatum praeter additicia* ⟨*iura*⟩». The integration *chōr*[*ís*] *tōn* [*ad*]*deitikíōn*, proposed by Oliver (1972) (cf. Oliver [1989] 504), in place of the more common *chōr*[*ís*] *tōn* [*de*]*deitikíōn*, was accepted by Kuhlmann (1994) 234 ff., 236 f. part.; Kuhlmann (2011); Kuhlmann and Barnes (2012) 45–50; Buraselis (1989) (= Buraselis [2007]) 6 and fn. 15, contests the grounds for this, pointing out that this term, an adjective used as a noun, is extremely rare in the sources (cf. Celsus 39 *dig*. D. 50,16,98,1; Tertull. *de resurrectione* 52; Sch. Horat *Epod*. 1.1.95; Isid. *de natura rerum* 1.7) and, at the same time, that this does not adequately express the meaning of the safeguarding clause evidenced in the *Tabula Banasitana*. This second point appears to be contradicted by the considerations presented above. About the *constitutio Antoniniana* and *P. Giessen* 40 col. I you could find interesting remarks in Ando (2016) in part. 21, where, in the English translation of *P. Giss*. 40 col. I, James Oliver's interpretation is accepted without explicitly mentioning it. See also Bryen (2016) 32–34, 37–42. The expression *chōr*[*ís*] *tōn* [*de*]*deitikíōn* has been analyzed by Moatti (2016) 63–98, esp. 89–93. She identifies the *dediticii* of the 9th line of Papyrus Giessen with the *hostes publici* too who, raised against the *populus Romanus* (and against the emperor), surrended themselves as defeated internal enemies. So, according to this argument, we should consider the vast majority of these individuals as part of the deportees among whom were political adversaries of emperor. Like many others, this conjecture too—in order to restore the presumed historical transparency of this papyrus—considers points of view unrelated to the lines 7–9 and neglects their juridical coherence. In short, Claudia Moatti explains the purview of the *edictum de civitate*, nearly considering the contemporary political events alone (in the first place the civil wars of Severan age); events that remain mainly unknown to us. If all this is acceptable, when it comes to deal with the preamble of the *constitutio* (lines 2–7), it isn't the same when you have to suggest

Therefore, the clause introduced by *ménontos* would not define those groups excluded from the benefit of citizenship or the safeguarding of their own legal order; rather, it would confirm all the obligations that existed for the *civitates* and the other communities of the Roman world (which in turn were obliged to provide certain services to the provincial administration), recognizing the *addeitíkia*—that is, those supplementary regulations, at times favorable (in the case of the immunity granted to certain categories of veterans), at times unfavorable.

A safeguarding clause conceived of in this manner explains why, after AD 212, the *pro capite* tax (*laographía*)[91] was still imposed on those who once were Egyptians. On the other hand, in order to broaden the base of the inheritance tax,[92] Caracalla would not have been able to do without most of the other tax revenue sources, which certainly were more sizable than those destined to finance, beginning with Augustus's reform of the *praemia militiae*, the *aerarium militare*.[93]

Bibliography

Ando, C. 2016. Sovereignty, Territoriality and Universalism in the Aftermath of Caracalla. In *Citizenship and Empire in Europe 200–1900. The Antonine Constitution after 1800 years*, ed. C. Ando, 7–27. Stuttgart.

Behrends, O. 1986. Die Rechtsregeln der Militärdiplome und das die Soldaten des

a conjecture juridically plausible about the enacting clause (lines 7–9). In the same essay (p. 89 fn. 138) she rejects the James Oliver's hypothesis, because the words χωρ[ὶς] τῶν [ἀδ]δειτικίων show a redundancy in relation to the phrase *salvo iure* ([...] [μ]ένοντος |. [τοῦ δικαίου τῶν πολιτευμ]άτων). I can't see the meaning of this objection especially when aimed at what I wrote in Marotta (2009) 113 f., where I made clear that this term ([ἀδ]δειτικία) referred to supplementary regulations specific for each individual in his specific political community (*políteuma*); supplementary regulations mentioned, if we accept Oliver's theory, in the original version of the edict by the words *praeter additicia* ⟨*iura*⟩.

91 See Montevecchi (1998) 377. Ulpian, as well, mentions *tributum capitis*: 2 *de cens.* D. 50,15,3pr. *Aetatem in censendo significare necesse est, quia quibusdam aetas tribuit, ne tributo onerentur: veluti in Syriis a quattuordecim annis masculi, a duedodecim feminae usque ad sexagesimum quintum annum tributo capitis obligantur*. According to Honoré (2002) 189–190, the six *De censibus* books were written between AD 213 and 214.

92 *Vicesima*, or, under Caracalla, *decima hereditatium*: cf. Cass. Dio (Xiph.) 77(78).9.5. See in this regard Marotta (2013) 60 ff., which contains other bibliographical references.

93 See Phang (2008) 163, which includes a bibliography.

Prinzipats treffende Eheverbot. In *Heer und Integrationspolitik*, eds. W. Eck and H. Wolff, 116–166. Köln—Wien.

Betti, E. 1947. *Istituzioni di diritto romano*. Padova.

Bianchi, E. 2012. Gai 3.56. Alcune riflessioni in tema di *ius Latii* e delle *fictiones legis Iuniae Norbanae*. *Revista General de Derecho Romano* 18: 1–33.

Bickermann, E. 1930. Beiträge zur antiken Urkundengeschichte. II. *Archiv für Papyrusforschung und verwändte Gebiete* 9: 24–46.

Böhm, R. 1958. Die Doppelbürgerschaft des Aegypter Harpocras bei Plinius, *Epistulae ad Traianum* 5, 6, 7, 10. *Aegyptus* 38: 11–27.

Bryen, A.Z. 2016. Reading the Citizenship Papyrus (P. Giss. 40). In *Citizenship and Empire in Europe 200–1900. The Antonine Constitution after 1800 years*, ed. C. Ando, 29–43. Stuttgart.

Buraselis, K. 1989. *Theía Dōreá. Meletes pano stin politikitis dynasteias ton seviron kai tin Constitutio Antoniniana*. Athina.

Buraselis, K. 2007. *Theía Dōreá. Das göttlich-kaiserliche Geschenk. Studien zur Politik der Severer und zur Constitutio Antoniniana*. German Translation. Wien.

Chapot, V. 1896. *La flotte de Misène*. Paris.

Corbo, C. 2013. *Constitutio Antoniniana. Ius Philosophia Religio*. Napoli.

Delia, D. 1991. *Alexandrian Citizenship during the Roman Principate*. Atlanta.

De Martino, F. 1975. *Storia della costituzione romana*, Vol. IV.2. Napoli. Second edition.

De Sanctis, G. 1972. Il papiro di Giessen 40, 1 in studî recenti (1926). In *Scritti minori* VI.2. *Recensioni, Cronache, Commenti*, eds. A. Ferrabino and S. Accame, 726–727. Roma. [= De Sanctis (1972a)]

De Sanctis, G. 1972. J. Stroux ancora sul Pap. Giss. 40 in rapporto con l'editto di Caracalla (1934). In *Scritti minori* VI.2. *Recensioni, Cronache, Commenti*, eds. A. Ferrabino and S. Accame, 900–902. Roma. [= De Sanctis (1972b)]

Forni, G. 1986. I diplomi militari dei classiari delle flotte pretorie (inclusi quelli dei classiari-legionari). In *Heer und Integrationspolitik*, eds. W. Eck and H. Wolff, 293–321. Köln/Wien = Forni, G. 1992. Esercito e marina di Roma Antica. Raccolta di contributi, Stuttgart (Mavors Roman Army Researches V).

Frei-Stolba, R. and H. Lieb. 2003. Un diplôme civil: le fragment de Carnuntum. *ZPE* 143: 243–254.

Gagliardi, L. 2006. *Mobilità e integrazione delle persone nei centri cittadini romani. Aspetti giuridici*. Vol. I. *La classificazione degli incolae*. Milano.

Gambetti, S. 2009. *The Alexandrian Riots of 38 C.E. and the Persecution of the Jews: A Historical Reconstruction*. Leiden-Boston.

Geraci, G. 1995. La concessione della cittadinanza alessandrina ad Arpocrate egizio. In *Alessandria e il mondo ellenistico-romano. I Centenario del Museo Greco-Egizio-Romano*. Alessandria, 23–27 Novembre 1992, *Atti del II Congresso Internazionale Italo-Egizio*, 59–64. Roma.

Gonzales, A. 2002. Les requêtes de Pline le Jeune auprès de Trajan. De la citoyenneté romaine pour des affranchis et des pérégrins. In *Antiquité at Citoyennetè. Actes du colloque International de Besançon, 3–5 November 1999*, ed. S. Ratti, 35–49. Paris.

Honoré, T. 2002. *Ulpian Pioneer of Human Rights*. Second Edition. Oxford.

Martin Jones, A.H. 1971. *Cities of the Eastern Roman Provinces*. Oxford.

Jouguet, P. 1911. *La vie municipale dans l'Egypte romaine*. Paris.

Klauck, H.-J. 2011. *La lettera antica e il Nuovo Testamento*. Italian translation. Brescia.

Kuhlmann, P. 1994. *Die Giessener literarischen Papyri und die Caracalla-Erlasse. Edition, Übersetzung und Kommentar*, Berichte und Arbeiten aus der Universitätsbibliotek und dem Universitätsarchiv Giessen, 46. Giessen.

Kuhlmann, P. 2011. Papyrologie-Philologie-Alte Geschichte am Beispiel des Papyrus Gissensis 40. In *Kultur der Antike. Transdisziplinäres Arbeiten in den Altertumswissenschaften*, ed. U. Egelhaaf-Gaiser, 257–277. Berlin.

Kuhlmann, P. and T. Barnes, 2012. Die Constitutio Antoniniana: der Bürgerrechtserlass von 212. In *Bürgerrecht und Krise. Die constitutio Antoniniana 212 n. Chr. und ihre innenpolitischen Folgen*, eds. B. Pferdehirt and M. Scholz, 45–52. Mainz.

Le Bohec, Y. 1989. *La Troisième légion Auguste*. Paris.

Lendon, J.E. 1997. *Empire of Honour. The Art of Government in the Roman World*. Oxford.

Lewis, N. 1983. *Life in Egypt under Roman Rule*. Oxford.

Mancini, G. 2000. *Cittadinanza e status negli antichi e nei moderni*. Pescara.

Marotta, V. 2009. *La cittadinanza romana in età imperiale (secoli I–III d.C). Una sintesi*. Torino.

Marotta, V. 2013. Tre riflessioni sulla cittadinanza: da Roma antica al mondo attuale. *Iuris Antiqui Historia* 5: 53–72.

Marotta, V. 2016. *Esercizio e trasmissione del potere imperiale (secoli I–IV d.C.). Studi di diritto pubblico romano*. Torino.

Mazzarino, S. 1986. *L'impero romano*, Vol. II. Roma-Bari. Second edition.

Meyer, P.M. 1900. *Heerwesen der Ptolemäer und Römer in Ägypten*. Leipzig.

Meyer, P.M. 1910. Drei Erlasse Caracallas aus den Jahren 212 und 215. In *Griechische Papyri im Museum des Oberhessischen Geschichtsvereins zu Giessen (P. Giss.) I.2 (= P. Giss. II)*, 25–45. Leipzig—Berlin.

Migliario, E. 1999. Gentes foederatae. Per una riconsiderazione dei rapporti romano-berberi in Mauretania Tingitana. In *Rendiconti dell'Accademia dei Lincei* (9th series) 10.3: 427–457.

Mitteis, L. 1891. *Reichsrecht und Volksrecht in den östlichen Provinzen des romischen Kaiserreichs: mit Beiträgen zur Kenntniss des griechischen Rechts und der spätrömischen Rechtsentwicklung*. Leipzig.

Moatti, C. 2016. The notion of Res publica in the Age of Caracalla. In *Citizenship and Empire in Europe 200–1900. The Antonine Constitution after 1800 years*, ed. C. Ando, 63–98. Stuttgart.

Modrzejewski, J.M. 1997. *The Jews of Egypt. From Rameses II to Emperor Hadrian*. English translation. Princeton.

Mommsen, T. 1899. *Römisches Strafrecht*. Leipzig.

Mommsen, T. 1905. *Schweizer Nachstudien* VI, in *Gesammelte Schriften*, Bd. V., 418–420. Berlin.

Montevecchi, O. 1998. La documentazione papiracea del III secolo d.C. Aspetti e problemi (1993). Now in Ead. *Scripta selecta*, ed. S. Daris, 371–383. Milano.

Oliver, J.H. 1972. Text of the Tabula Banasitana, A.D. 177. *AJPh* 93: 336–340.

Oliver, J.H. 1989. *Greek Constitutions of Early Roman Emperors from Inscriptions and Papyri*. Philadelphia.

Oliverio, G. 1933. *Documenti antichi dell'Africa Italiana*. Vol. II *Cirenaica*, fasc. II. *Il decreto di Anastasio I su l'ordinamento politico-militare della Cirenaica, iscrizioni di Tocra-El Chamís, Tolemaide, Cirene*. Bergamo.

Panciera, S. 2006. La condizione giuridica dei classiarii (e degli equites singulares) in età imperiale. Stato della questione e prospettive di ricerca. In Id. *Epigrafi, Epigrafia, Epigrafisti. Scritti vari editi e inediti (1956–2005) con note complementari e indici*. Vol. II, 1411–1414. Roma.

Parma, A. 1992. Osservazioni sul patrimonio epigrafico flegreo con particolare riguardo a Misenum. In *Civiltà dei Campi Flegrei. Atti del convegno internazionale*, ed. M. Gigante, 201–225. Napoli.

Pearl, O.M. 1951. A Late Receipt for Syntaximon. *TAPhA* 82: 193–195.

Phang, S.E. 2008. *Roman Military Service. Ideologies of Discipline in the Late Republic and Early Principate*. Cambridge.

Purpura, G. 2013. Constitutio Antoniniana de civitate (212 AD). (P.Giss. 40 I = FIRA I, p. 88) (p. 215 AD). In *Revisione ed integrazione dei Fontes Iuris Romani Anteiustiniani (FIRA). Studi preparatori. I., Leges*, ed. G. Purpura, 695–715. Torino. [= Purpura (2013a)]

Purpura, G. 2013. Tabula Banasitana de viritana civitate (180/181). In *Revisione ed integrazione dei Fontes Iuris Romani Anteiustiniani (FIRA). Studi preparatori. I., Leges*, ed. G. Purpura, 625–641. Torino. [= Purpura (2013b)]

Sasse, C. 1958. *Die Constitutio Antoniniana. Eine Untersuchung über den Umfang der Bürgerrechtsverleihung auf Grund des Papyrus Giss. 40 I*. Wiesbaden.

Segré, G. 1938. *L'editto di Caracalla relativo alla concessione della cittadinanza romana e il papiro Giessen 40, I*. Now in *Scritti giuridici* II, 97–271. Roma.

Seston W. and M. Euzennat. 1961. La citoyenneté romaine au temps de Marc-Aurèle et de Commode d'après la *Tabula Banasitana*. *CRAI* 105.2: 468–490.

Sherwin-White, A.N. 1985. *The Letters of Pliny. A Historical and Social Commentary*. Oxford. Second edition.

Spagnuolo Vigorita, T. 1993. Cittadini e sudditi tra II e III secolo. In *Storia di Roma* III, 1. *L'età tardoantica. Crisi e trasformazioni*, eds. A. Carandini, L. Cracco Ruggini and A. Giardina, 5–50. Torino.

Thomas, Y. 1996. *«Origine» et «commune patrie». Étude de droit public romain (89 av. J.-C.–212 ap. J.-C.)*. Roma—Paris.

Torrent, A. 2012. *La constitutio Antoniniana. Reflexiones sobre el Papiro Giessen 40 I*. Madrid.

Troiani, L. 1977. *Commento storico al «Contro Apione» di Giuseppe. Introduzione, commento storico, traduzione e indici*. Pisa.

Van Minnen, P. 1986. A Change of Names in Roman Egypt after A.D. 202? A note on P. Amst. I 72. *ZPE* 62: 87–92.

Vidman, L. 1972. *Étude sur la correspondance de Pline le Jeune avec Trajan*. Ed. anast. Roma.

Volterra, E. 1991. Manomissioni di schiavi compiute da peregrini. Now in Id., *Scritti giuridici*, with a note by M. Talamanca, Vol. II. *Famiglia e successioni*, 363–393. Napoli. [= Volterra (1991a)]

Volterra, E. 1991. Manomissione e cittadinanza. Now in Id., *Scritti giuridici*, with a note by M. Talamanca, Vol. II. *Famiglia e successioni*, 395–416. Napoli. [= Volterra (1991b)]

CHAPTER 8

Fifty Years before the Antonine Constitution: Access to Roman Citizenship and Exclusive Rights

Arnaud Besson

Introduction

In AD 212 the emperor Marcus Aurelius Severus Antoninus 'Caracalla' granted Roman citizenship to every free man in the Empire. The edict was undeniably enacted. Military rosters, papyri and inscriptions show that the *tria nomina*, comporting the *nomen* 'Aurelius' (taken by new citizens in honour of the Emperor), spread swiftly throughout the Roman Empire.[1]

There are only a few direct sources for this event. It has long been known through a brief quotation from Ulpian[2] and a text from Cassius Dio. According to this last author, greed would have been Caracalla's motivation for having issued the Antonine Constitution. Even if the official reason was to honour the people of the Empire, the real purpose would have been to raise tax revenue on inheritances (indeed, only Roman citizens were subject to the tax on inheritances, the *vicesima hereditatium*).[3] The discovery of papyrus Giessen 40,[4] published by P.M. Meyer in 1910, which is supposed to bear the text of the Antonine Constitution, raised more questions than answers. The papyrus is not well preserved and some key passages used for its interpretation are unfortunately flawed. There have been many attempts to restore the text, which have led to a massive debate about the Antonine Constitution and its potential meanings.[5] Was it a cosmopolitan reform, the expression of a new absolutism or an attempt to increase financial revenue? The reasons that could have driven Caracalla to this unprecedented edict are difficult to define; the Antonine Constitution is nonetheless an act impressive in scale, whose practical consequences and implications deserve further study.[6]

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1 See e.g. Kracker and Scholz (2012); Rizakis (2009). Also BGU II 655; BGU VII 1652; P. Bodl. I 42.

2 *Dig.* 1.5.17 (Ulp. 22 *Ad. Ed.*).

3 D.C. 77.9.5. On the *vicesima hereditatium* see Günther (2007).

4 Meyer (1910). See also Heichelheim (1941) 10–22.

5 Christoph Sasse published a synthetic work with a critical overview of the major discussions about this topic: Sasse (1958; 1962; 1965). Lastly, Bryen (2016); Van Minnen (2016).

6 For recent works, see Ando (2016); De Blois (2014); Corbo (2013); Pferdehirt (2012); Marotta (2009) 101–131; Buraselis (2007 [1985]).

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The abolishing of the long-established distinction in Roman society between Roman citizens and peregrines transformed the very notion of Roman citizenship. This has led some historians to consider AD 212 as the end of the history of Roman citizenship or to call into question its value.[7] Some have also questioned the meaning of the Antonine Constitution itself, arguing that the privileges of Roman citizenship had already in large part been deleted by the imperial regime.[8] For some scholars, the edict of Caracalla was not a change of great importance,[9] whereas for others the universal extension of Roman citizenship was inevitable, comparing its successive grants to a flood tide.[10]

This paper takes the opposite view of the historiographical positions that downplay the importance of the Antonine Constitution, and it focuses on two main questions: first, was it difficult to obtain Roman citizenship in the decades preceding AD 212? Namely, was access to Roman citizenship still restricted to a high degree? And, secondly, what were, shortly before AD 212, the exclusive rights of Roman citizens?

In order to answer these questions, this paper will look mainly at the *Institutes* of Gaius, Aelius Aristides' speech *Regarding Rome*, Pausanias' *Periegesis*, and the *Tabula Banasitana*, an epigraphic document from AD 177 that appears essential for understanding the way in which Roman citizenship could be attained via personal grants. By doing so, I will limit the enquiry to the seven decades before the Antonine Constitution.

1 Access to Roman Citizenship

It may be questioned whether Roman citizenship remained a sign of social distinction in the provinces in the second century AD. One source we have on this issue is Aelius Aristides,[11] an orator of the Second Sophistic from a

7 Garnsey (2004) 133, 135, 137 describes it as "an accident of history", "a whim [… that …] came out of the blue".

8 Ando (2011) 16: "To be sure the privileges of citizenship were gradually evacuated over the first two centuries of this era." Cf. Spagnuolo Vigorita (1993) 7.

9 See Spagnuolo Vigorita (1993) 7–15. De Sainte Croix (1998 [1985]) 454 says of the promulgation of the Antonine Constitution that "this fact is very much less remarkable than it appears at first sight" and develops a Marxist theory about the suppression of citizenship privileges for the benefit of a new social, class-based distinction.

10 "The Flood Tide", Sherwin-White (1973) 251–263. For an opposite point of view, much more similar to my own position, see Marotta (2009) 61 and, now, Lavan (2016) 3–46.

11 See Harris (2008); Behr (1994).

prominent family in Hadrianoi (Mysia). In his speech *Regarding Rome*, which he very likely delivered in Rome in AD 155, he praised the Roman administration in order to gain the favour of the Emperor and advance in his career. It is thus an epideictic speech, a eulogy where Rome is presented in the best light. Beyond the obvious praise of Rome, Aristides' speech reflects the vision of a member of the provincial elite, who was flattered by being closely associated with the power of Rome.[12] So we read in Aelius Aristides, *Regarding Rome* 26.59–64, around sixty years before the Antonine Constitution:

(59) [...] διελόντες γὰρ δύο μέρη πάντας τοὺς ἐπὶ τῆς ἀρκῆς—τοῦτο δ' εἰπὼν ἅπασαν εἴρηχα τὴν οἰκουμένην—, τὸ μὲν χαριέστερόν τε καὶ γενναιότερον καὶ δυνατώτερον πανταχοῦ πολιτικὸν ἢ καὶ ὁμόφυλον πᾶν ἀπεδείξατε, τὸ δὲ λοιπὸν ὑπήκοόν τε καὶ ἀρχόμενον. (60) καὶ οὔτε θάλαττα διείργει τὸ μὴ εἶναι πολίτην οὔτε πλῆθος τῆς ἐν μέσῳ χώρας, οὐδ' Ἀσία καὶ Εὐρώπη διῄρηται ἐνταῦθα· πρόκειται δ' ἐν μέσῳ πᾶσι πάντα· ξένος δ' οὐδεὶς ὅστις ἀρχῆς ἢ πίστεως ἄξιος, [...] (63) [...] καὶ τὸ Ῥωμαῖον εἶναι ἐποιήσατε οὐ πόλεως, ἀλλὰ γένους ὄνομα κοινοῦ τινος, καὶ τούτου οὐχ ἑνὸς τῶν πάντων, ἀλλ' ἀντιρρόπου πᾶσι τοῖς λοιποῖς. [...] (64) [...] φρουρῶν δὲ οὐδὲν δεῖ τὰς ἀκροπόλεις ἐχόντων, ἀλλ' οἱ ἑκασταχόθεν μέγιστοι καὶ δυνατώτατοι τὰς ἑαυτῶν πατριδας ὑμῖν φυλάττουσιν· καὶ διπλῇ τὰς πόλεις ἔχετε, ἐνθένδε τε καὶ παρ' αὐτῶν ἑκάστας.

(59) [...] For you have divided into two parts all the men in your empire—with this expression I have indicated the whole inhabited world—and everywhere you have made citizens all those who are the more accomplished, noble, and powerful people, even if they retain their native affinities, while the remainder you have made subjects and the governed. (60) And neither does the sea nor a great expanse of intervening land keep one from being a citizen, nor here are Asia and Europe distinguished. But all lies open to all men. No one is a foreigner who deserves to hold office or to be trusted [...] (63) [...] you have caused the word 'Roman' to belong not to a city, but to the name of a sort of common race, and this not one out of all the races, but a balance to all the remaining ones. [...] (64) [...] There is no need of garrisons holding acropolises, but the most important and powerful people in each place guard their countries for you. And you hold their cities in a double way, from here and individually through them.[13]

12 For similar opinions among Greek writers Plu. *Prae. Ger. Reip.* 814C; D.C. 52.19.2–3. See Ando (2000) 58–59 with references.

13 Ed. Keil (1958); Trans. Behr (1981); our abbreviations.

Roman citizenship, as described by Aelius Aristides, was an open citizenship. It was granted on a meritocratic basis without geographical distinction, in contrast to Greek citizenship, which was often strongly linked to ethnic background. It also appears to have been an instrument of cohesion among the elites throughout the Empire. Relying on the loyalty and consent of these elites, Rome had no need of a military presence in every area to rule over the cities. Therefore, the openness of the Roman citizenship appears to have been a tool of soft power. However, as well as an instrument for enhancing cohesion, on the one hand, citizenship seems to have been, on the other hand, a way to stress differences, as it drew a boundary between the ruling Roman elite and the non-Romans who were subjects and could still be foreigners (ξένος). Thus, according to Aelius Aristides, Roman citizenship was a mark of membership in the elite-class throughout the Empire in the second half of the second century AD.

In order to know how it was possible for a provincial to become a Roman citizen and what rights it implied, we must now compare this view with the more pragmatic information provided by a juridical source like the *Institutes* of Gaius.[14] Conceived for a teaching course on Roman law and probably used for lectures in AD 161, the *Institutes* have the advantage of providing us with an overall picture of the laws in force approximately a half-century before the Antonine Constitution. Gaius' first commentary on civil law, in particular, gives us a significant amount of information about how one could attain Roman citizenship in the middle of the second century AD. He promptly explains the main legal divisions between the inhabitants of the Empire.[15] The first of these divisions is between free men and slaves, the second that between free-born and freedmen. Free persons could belong to three categories: citizens, Latins (or Junian Latins) and *dediticii*.[16]

Gaius' divisions do not take into account those who lived outside Roman civil law, i.e. peregrines who could also be free, and those who were slaves or freedmen according to peregrine laws. Thus, the *Institutes* deal mainly with differences between Roman civil law, theoretically exclusive to Roman citizens, and the *ius gentium*, common to all men.[17] On occasion, he nevertheless mentions peregrine laws.[18] This is an important difference from late compi-

14 Babusiaux and Mantovani (soon to be released); Nelson (1981); Honoré (1962).

15 Gai. *Inst.* 1.9–12.

16 In general Mattiangeli (2010); Marotta (2009); Sherwin-White (1973). For Junian Latins: Koops (2012); Corcoran (2011); De Quiroga (1998); Weaver (1990); Modrzejewski (1970) 317. For *dediticii*: Soazick (1996); Oliver (1955); Benario (1954).

17 Gai. *Inst.* 1.1.

18 Gai. *Inst.* 3.120 even indicates a potential primacy of peregrine law in the context of

lations, such as the Theodosian and Justinian codes from the fifth and sixth centuries, in which mentions of peregrine elements have generally been suppressed.[19]

The first question, now, is how Roman citizenship could be obtained. We put in relation Gaius with our explanation, which will sometimes differ from what is explained in legal handbooks based on classical law as stated in the late compilations.[20] We will also be able to complete the picture drawing on external sources like the *Tabula Banasitana*.

1.1 *Citizen by Birth*

The first way to attain Roman citizenship was to be born free in a legally valid marriage (*iustum matrimonium*),[21] that is, a marriage recognized by Roman civil law. This was the case for a marriage between people who are both Roman citizens, as long as there were no special restrictions, such as the one forbidding consanguine unions.[22] The children of such a marriage would be granted the same condition as their father and hence would be freeborn Roman citizens. It could go the same way if a Roman citizen took a Latin woman or a peregrine woman as his wife, provided that he had the right to marry these women, i.e. that the right *conubium* had been granted. This was an imperial favour granted to some communities or some individuals.[23]

Without *conubium*, the status of the children was problematic. Under the *ius gentium*, a child born out of a legally valid marriage was supposed to take the status of the mother.[24] However, this was not true for Roman citizenship, which was not granted to the children of, e.g., a female Roman citizen and a male peregrine without *conubium*. This restriction, which was established by the *lex Minicia*, likely dates from 90 BC back to the Social War.[25]

The emperor Hadrian issued a series of clarifications concerning these problems of intermarriage and other aspects of the complex Roman family law.[26] A

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fidepromissio: *"Praeterea sponsoris et fidepromissoris heres non tenetur, nisi si de peregrino fidepromissore quaeramus, et alio iure civitas eius utatur."*

19 Ando (2011) 1; Pharr (2007).

20 See Frier and McGinn (2004).

21 Gai. *Inst.* 1.76. On marriage see Evans-Grubbs (2002); Phang (2001); Modrzejewski (1993).

22 Gai. *Inst.* 1.58–64.

23 Gai. *Inst.* 1.56. On *conubium* see Roselaar (2013); Gardner (1987) 142–144. E.g. privileges of Volubilis granted by Claude in IAM II 448.

24 Gai. *Inst.* 1.78.

25 Gai. *Inst.* 1.77–79; Cherry (1990).

26 Gaius, *Inst.* makes several mentions of it. For *senatus consulta*: 1.30, 1.77, 1.80, 1.81, 1.92, 2.143;

senatus consultum provides that children of a female Roman citizen and a male peregrine without *conubium* would still be considered legitimate children of their father.[27] It should be noted that Hadrian confirmed with this measure the validity of the *lex Minicia*, contrary to the *ius gentium*.

Marriage between peregrine and Roman citizens, males or females, in no way provided access to Roman citizenship, while for children of such marriages, citizenship was granted only within the strict conditions we have outlined. Access to Roman citizenship through marriage or filiation appears thus so to have been strictly controlled for peregrines.

1.2 *Enfranchisement*

For people of servile origin, enfranchisement from slavery (*manumissio*) could be accompanied by the conferment of citizenship under three conditions.[28] The manumitted slave must be older than thirty years of age, s/he must have belonged to his master *ex iure Quiritum* (which implies that his master had obviously to be a Roman citizen himself)[29] and finally s/he must have been released from slavery through a formal manumission, i.e. by *census* or by *vindicta* (these two types of *manumissio* require the intervention of a magistrate) or by will. If these conditions were fulfilled the former slave would become a Roman citizen.

In the event that the freedman did not fulfil these conditions or had been informally manumitted, s/he would not become Roman citizen but s/he would be granted the intermediate status of Junian Latin. The condition of the minimal age could be removed on justified grounds following the decision of a council of Roman citizens. Junian Latin status was defined by the Augustan *lex Iunia*,[30] which replaced what was before a liberty *de facto* protected by the praetor but legally void.[31] Junian Latins could not make a will or receive through a will: at death, their property was to be given to their former master.[32] But they could benefit from the facilitated conditions to obtain Roman citizenship

edict on the *patria potestas*: 1.55, 1.93; other or undetermined: 1.47; 1.84; 1.94. See Gardner (1996); Gascou (1999).

27 Gai. *Inst.* 1.77.

28 Gai. *Inst.* 1.17–19.

29 See the *Fragmentum dositheanum* (2nd c. AD) in Girard and Senn (1967) 464–468 n. 23.

30 *Lex Iunia* (*Norbana*) *de manumissionibus*, dates probably from AD 19, see Rotondi (1990 [1912]) 463 and De Quiroga (1998).

31 Gai. *Inst.* 3.55.

32 Gai. *Inst.* 1.23–24 and 3.56–62.

defined by the *lex Aelia Sentia*.[33] The first of these could grant citizenship to any Junian Latin who had married a Roman citizen or another Junian Latin and had given birth to a child, as soon as the child reached the age of one. This was very likely a pro-natal policy.

Other possibilities involved three years service in the vigils of Rome, a strong investment in the grain supply to the city of Rome or in the construction of a substantial house in Rome, and, finally, to work as a miller in Rome. Gaius gives a brief history of these measures, which were all set up by successive emperors. We can see in them demographic policies to encourage and reward having children and tasks that are of general interest, and to ensure civic population growth through controlled 'naturalization'. It should, however, be noted that these measures were mostly applied to the city of Rome. Again, this implies that Roman citizenship was supposed to be a reward.

By contrast, citizenship was forever denied to slaves who committed crimes and were submitted to defamatory punishments, or who practiced 'infamous' activities, even if they were freed. They were the *dediticii* and had the least enviable condition. It seems that they were originally prisoners of war or people deported after an uprising or a conflict and that this notion was then used to elaborate the status of these infamous freedmen.[34] They were considered to be peregrines and were forbidden to approach Rome, on penalty of being re-enslaved. This suggests that Roman citizenship was thus restricted to individuals who were able to behave according to Roman social norms. In addition, Roman citizenship could also be taken away from individuals, even if they were freeborn Roman citizens, as a penalty for serious criminal offenses (*capitis deminutio*).[35]

These intermediate legal statuses did not disappear with the promulgation of the Antonine Constitution. *Dediticii* were also excluded from the general grant in AD 212, according to most lectures of the papyrus Giessen 40, and their status was still attested to after AD 212.[36] The status of Junian Latin still existed in 320, as an edict of Constantine providing for the possible *capitis deminutio* of a citizen stated that his new status would be Latin.[37] The status of Junian Latin

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33 Gai. *Inst.* 1.28–35 and 1.65.

34 Gai. *Inst.* 1.13–15. See Sherwin-White (1973) 380–386. This status continues to be given to barbarians settling in the Empire. See e.g. the inscription of Walldürn (*CIL* XIII 6592), from AD 232. See also e.g. Soazick (1996); Oliver (1955); Benario (1954).

35 Gai. *Inst.* 1.159–162. See Forteza (1992).

36 See two notes above.

37 *C. Th.* 2.22.1.

was formally abolished by an edict of Justinian in AD 531.[38] All this suggests that these intermediate statuses of non-citizens were neither abrogated by the Antonine Constitution nor fallen into disuse. After AD 212 they probably had a more punitive character than before.

Access to Roman citizenship for people of servile origins was strictly regulated before and after the Antonine Constitution. Junian Latins did benefit from facilitated conditions to obtain Roman citizenship, but had fewer rights than full citizens regarding the control of their property at death. Roman citizenship was a political and legal reward and to be deprived of this status was a sanction.

1.3 *Grants of Citizenship*

For free peregrines, the most direct way to obtain Roman citizenship was to receive it through a grant. Gaius does not deal directly with these matters, as he speaks of people already subject to Roman civil law. He nevertheless tackles a series of problems regarding family law and more specifically mixed families, in which only a few members possess Roman citizenship.[39] Roman citizenship could be granted individually[40] or collectively. These grants were originally a prerogative of the Roman people; Emperors subsequently acquired the right to reward individuals, groups or communities with the franchise of citizenship.[41]

Concerning collective grants, some communities could receive the honorific title of *colonia*, which normally granted Roman citizenship to their members. It was, however, a rather rare honour. As we know, the Italic peninsula, including the *Gallia Cisalpina*, benefitted from a general grant of Roman citizenship in the first century BC. Subsequently, some regions were granted Latin rights, mostly in the western part of the Empire.[42] In the communities of Latin rights, Roman citizenship was automatically granted as a reward for the performing of public offices. It was given to magistrates upon the holding of municipal office in the communities of Latin right *minus*, and was even later extended to the decurions of communities with Latin rights *maius*.[43] In this case, again, we

38 *C.J.* 7.6.1.

39 E.g. Gai. *Inst.* 1.74.

40 Personal grant of citizenship, as it is the case in the *Tabula Banasitana*, is said *viritim* and is attested since the second Punic War. See Marotta (2009) 72; Sherwin-White (1980) 245.

41 Marotta (2009) 72, n. 128.

42 Marotta (2009) 17–20; Lintott (1993) 161–167; Sherwin-White (1973).

43 Gai. *Inst.* 1.96. Kremer (2006); Gascou (1999); Lamberti (1993); Chastagnol (1994). See also the municipal law of Salpensanum, in Baetica (Spain): *FIRA* I 21 = Riccobono (1908).

can see that Roman citizenship was granted to the ruling elite of non-Roman communities, in conformity with Aelius Aristides' testimony.

In the years immediately before the Antonine Constitution, the most interesting case of personal grant remains certainly the *Tabula Banasitana*.[44] This inscription, found in 1957 in Banasa (Morocco) and published for the first time in 1971, sheds light on how access to Roman citizenship was handled by the Imperial chancellery a few years before the Antonine Constitution. Besides two imperial rescripts, this inscription contains an excerpt of the *Commentarius civitate romana donatorum* (record of roman citizenship grants). These three documents form a dossier of the grant of Roman citizenship to a powerful family of the Zegrenses tribe in *Mauretania Tingitana*. We probably have to interpret these grants as political gestures that aimed to stabilize the region through diplomatic channels rather than military means. The integration of tribal chiefs as Iulianii Zegrensis enabled Rome to limit the incursions of Berber tribes in the province of *Mauretania Tingitana*.[45]

The first rescript, from AD 161–169, was addressed by the emperors Marcus Aurelius and Lucius Verus to Coiedius Maximus, governor of the *Mauretania Tingitana* province. The governor had conveyed the demand of Iulianus Zegrensis and the emperor granted Roman citizenship to him, his wife and his four children.

The second rescript, written according to the same model, dates from the 6 July AD 177 and was sent by the emperors Marcus Aurelius and Commodus to Vallius Maximianus, governor of the *Mauretania Tingitana* province. The emperors responded to the demand of Aurelius Iulianus, son of the Iulianus from the first rescript and granted Roman citizenship to his peregrine wife and to his children.[46] Indeed, without the granting of a specific *conubium*, the children of a marriage between a Roman citizen and a peregrine woman would follow the status of their mother and thus be born peregrine. This is a good example of the difficulties that a prominent provincial family, to whom Roman citizenship had been granted, could encounter in maintaining its privileges if they still lived in a mainly peregrine society.

Finally, the *Tabula* contains an excerpt of the imperial *Commentarius* in which the decision was recorded, which is followed by the complete names

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44 *AE* 1971, 534 = *IAM* II 94 = Euzennat, Marion and Gascou (1982) 76–91; Euzennat and Seston (1961); Euzennat and Seston (1971). For complete references on the publication, see Nicolet (2006).

45 Euzennat, Seston (1971) 473. The same policy can be seen from the years AD 140's with the tribe of Baquates, in Volubilis. See Frezouls (1957).

46 Euzennat, Marion and Gascou (1982).

of the twelve signatories who constituted the *consilium principis*. It seems that it was this record that validated the grant of citizenship.[47]

These three documents give us information about the practices of the Imperial Chancellery and about how difficult it was to attain Roman citizenship. An accurate written record of the grants of citizenship was archived by the Chancellery and it was the provincial governor who interceded with the emperor on behalf of the individual applying for citizenship.

For a peregrine whose fortune and social standing was insufficient to aspire to one of these modes of attaining Roman citizenship, there remained the possibility of enlisting in the auxiliary troops (the legion was only open to Roman citizens). This was assuming the candidate enjoyed a sufficiently good health and luck to survive the twenty-five years of military service. The reward was Roman citizenship, granted with the *honesta missio* of the veteran, in the form of a military diploma, of which we have found many examples throughout the former Empire.[48]

All this shows that access to Roman citizenship in the second century AD was still highly regulated and severely restricted. Peregrines had the choice between a long military service and the holding of costly offices in Latin communities. Otherwise they could benefit from a network of social relationships influential enough to reach the Emperor, but in this case they were often already part of the ruling elite of their provincial communities. Out of the Italic peninsula, possession of Roman citizenship was generally the privilege of a limited group of people, a situation confirmed by the words of Aelius Aristides quoted above. It must also be noted that Roman citizenship was still used in the second century AD as a reward for fidelity to Rome. It was thus a political instrument, an incentive for individuals who wished to improve their standing.

2 Exclusive Rights of Roman Citizens

The fact that citizenship in the second century AD was still granted as a reward suggests that it brought concrete privileges and rights. One example of these privileges were the legal protections conferred against the coercive power of the magistrates or the right to appeal, both of which were important advantages in criminal law.[49] One other example concerns the rights of the citi-

47 Euzennat, Seston (1971) 480–481. For another mention of this institution Plin. *epist.* 10.105 (106).

48 See Pferdehirt (2002); Phang (2001); Eck and Wolff (1986).

49 Garnsey (1966 and 1970).

zens (and probably of an increasing number of peregrines) to bring their disputes before the Roman court to obtain judicial relief.[50] But we will focus here exclusively on some advantages of civil law, attested to in the *Institutes* of Gaius. They concern, as we will see, mostly family law and the control of property.

2.1 *Property and Obligations*

Property and the matters relating to its business are a domain where Gaius points out many interactions between Roman citizens and peregrines. Property rights were obviously recognized to peregrines under *ius gentium*.[51] This concerned the goods that can be owned, possessed and conveyed under Roman civil law. Under it, to deliver a thing (by *traditio*) was enough to concede ownership of it.[52]

However there was a form of ownership that was restricted to Roman citizens (*dominium*) and things that could only be conveyed by Roman civil law methods of acquiring or alienating ownership.[53] These modes were *mancipatio*—a ritual performed in the presence of five Roman citizens as witnesses plus one more who holds a scale; *cessio* in front of a magistrate (the praetor or the governor of the province); and, finally, *usucapio*. This last method consisted of holding a good for a period of time prescribed by the law, while during this time its preceding possessor still owns it 'by the right of the Quirites', i.e. under Roman civil law. Goods whose property was peculiar to Roman citizens were called *res mancipi*[54] and they more or less corresponded to the most important means of archaic agricultural production: draft animals and slaves as well as lands, buildings and servitudes (but only in the Italic peninsula).

Roman citizens also had a specific form of oral contract: the *sponsio*, which would merge into the more general *stipulatio*.[55] The exclusive nature of the *sponsio* came from its formulation; the creditor asks '*Dari spondes*?' and the answer has to be '*Spondeo*.' When Gaius addresses the topic he deals with peregrine laws and shows that most contracts were of the *ius gentium*.[56] Oral

50 See Ando (2011) 7–9 and Gai. *Inst.* 4.34–37 in particular for *actiones fictitiae*.

51 Gai. *Inst.* 2.40–41.

52 Borkowski (2005) 182–197.

53 See Birks (1985).

54 Gai. *Inst.* 2.14a–33.

55 "Stipulatio", in Berger (2014) 713.

56 Gai. *Inst.* 3.96 mentions the existence of contracts of *stipulationes* in foreign laws (*apud peregrinos*), the same for written contracts in Gai. *Inst.* 3.133–134 and also 3.120 mentioned above.

contracts formulated in other terms (but always in the form of a promise) could be created between Roman citizens and peregrines and could even be expressed in Greek if both parties understood the language.[57] Gaius also says that only Roman citizens could be bound by contracts under Roman civil law[58] but, for example, peregrines could be bound by written obligations, which depend upon *ius gentium*.[59]

It is difficult to precisely assess the status of peregrines with regard to commercial law and this question would lead us too far from the purpose of this paper. However, we must note that some peregrines had the right of *commercium*, as did the Latin *coloniari* or Junian Latin, which very likely granted them the right to buy *res mancipi*.[60] Moreover, with the development of the formulary system at the end of the Republic and the growing role of the praetor, peregrines could benefit from his legal protection, in particular with the development of the concept of bonitary ownership.[61] This particular form of ownership was open to peregrines and was protected by the praetor even though some formalities of transfer had not been followed—for example if *res mancipii* had been exchanged without *mancipatio*. It is even possible that peregrines could be treated 'as if' they were Roman citizens by means of an *actio fictitia*.[62]

Thus, Roman civil law did not constitute an obstacle to commercial relations between Roman citizens and non-citizens. The complicated traditional forms of conveying ownership in Roman civil law probably fell into disuse after AD 212 and were abolished by Justinian.[63] Nevertheless, it has to be noted that the legal system described by Gaius was still heavily centred on Italy, notably because Italic soil was the only one to be mancipable.

57 Gai. *Inst.* 3.92–93.

58 Gai. *Inst.* 3.94 *Unde dicitur uno casu hoc verbo peregrinum quoque obligari posse ....*

59 Gai. *Inst.* 3.132–133.

60 Also *Tit. Ulp.* 19.4–5: "*Mancipatio locum habet inter cives Romanos et Latinos colonarios Latinosque Iunianos eosque peregrinos, quibus commercium datum est. Commercium (est) emendi vendundique invicem ius.*" (likely before AD 212). See Roselaar (2012) 387 and Mercogliano (1997).

61 See Borkowski (2005) 159.

62 Gai. *Inst.* 4.37 "*Item civitas romana peregrino fingitur, si eo nomine agat aut cum eo agatur quo nomine nostris legibus actio constituta est, si modo iustum sit eam actionem etiam ad peregrinum extendi.* [...]."

63 "Mancipatio", in Berger (2014) 573; *C.J.* 7.31.1.5.

2.2 *Family*

In the *Tabula Banasitana*, the Zegrenses, father and son, were attempting to obtain Roman citizenship also for their women and children. In the second rescript in particular, we saw that the emperors granted Roman citizenship to Aurelius Iulianus' peregrine wife and to his children, who were also peregrine. This underlines the importance of being able to conclude a Roman law marriage between two Roman citizens or to have obtained the right of *conubium* in order for the Roman citizen to be able to transmit his status to his or her children. Actually, the rigid structure of the Roman family, which was organized around the *pater familias*, brought additional specificities. Another exclusive right of the Roman citizen was the possibility to have other persons *in manus*; this was the case of the women who were subject to their husbands in traditional matrimonial regimes (*cum manu*) where they were then legally considered as a daughter of their husband.[64] If the marriage had not been contracted under this regime, as became more and more the case during the first centuries of our era, the wife would stay under the *potestas* of her father or tutor.[65] Also, the legitimate children were under the *patria potestas* of the father (*pater familias*), an institution presented as exclusively Roman by Gaius.[66] As the head of the family, the *pater familias* enjoyed the *potestas* with respect to all his descendants and was thus the sole legal representative of the family. He was also the only one to enjoy unrestricted property rights. Sons could be emancipated from the *potestas* but, as we will see, they would lose their rights in case of intestate succession.

In the *Tabula Banasitana* inscription there is surprisingly no reference to the *patria potestas*. Indeed the grant of *patria potestas* did not go hand in hand with that of Roman citizenship. Since Hadrian, new Roman citizens were not granted the *patria potestas* on children born before the grant.[67] The same applied to those who received Roman citizenship when their wives were already pregnant: the *potestas* upon the unborn child had to be demanded separately.[68] For example, in the case of a father who was a Roman citizen and a mother of servile origins, but freed while she was pregnant, the unborn child would be a Roman citizen but would not be under the *potestas* of its father, as the marriage was not legitimate at the time of conception.

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64 Gai. *Inst.* 1.108. See Evans-Grubbs (2002); Dodds (1991); Gardner (1987).

65 Gai. *Inst.* 1.193. Babusiaux (2015) 67; Dodds (1991); Looper-Friedman (1987).

66 Gai. *Inst.* 1.55. Gaius mentions the Galates as possessing a comparable authority over their descendants.

67 Gai. *Inst.* 1.93–94.

68 Junian Latin couples, which became citizens as a result of a fertile marriage, were granted *patria potestas*. Gai. *Inst.* 1.95.

Indeed, the moment of conception of the child and the quality of the marriage (legitimate or not, Roman or peregrine) was a decisive criterion for the conferment of the *patria potestas*. A child conceived outside of a legitimate marriage inherited the status of her/his mother at birth. The status of children born in a legitimate marriage was, however, determined at the moment of their conception. This was truly important if a woman gave birth after she had been sentenced to a *capitis deminutio* and therefore lost her citizenship:[69] if her marriage was not legitimate or if she conceived the child while in exile, her child would not become a Roman citizen. Also fathers who were deprived of their citizenship for any reason would also definitively lose their *potestas* with respect to their descendants.[70]

2.3 *Inheritance*

Children under the *potestas* of their father had an advantage at his death: they were his proper heirs (*heres suus*) and were thus the first in line to inherit from him in case of intestate succession.[71] Successions for proper heirs were also, most of the time, free of taxes.[72]

However, Roman law provided the possibility to make a will and so to modify the regular intestate succession. The freedom to make a will could be considered as a fundamental privilege of Roman citizenship.[73] This and the right to receive anything by will were not granted to Junian Latins and to an even lesser extent to *dediticii*. Peregrines were also excluded,[74] as Gaius reminds us in a very synthetic way in *Institutes* 1.25:

Hi vero qui dediticiorum numero sunt nullo modo ex testamento capere possunt, non magis quam quilibet peregrinus quia nec ipsi testamentum facere possunt secundum id quod magis placuit.[75]	Those, however, who belong to the class of *dediticii* can, under no circumstances, take under a will, any more than a foreigner; nor can they, in accordance with a majority of the decisions, themselves make a will.

69 Gai. *Inst.* 1.90 and 1.128.

70 Gai. *Inst.* 3.2.

71 Gai. *Inst.* 3.1. Babusiaux (2015).

72 Plin. *Pan.* 37.1–5; this privilege was abolished by Caracalla and restored by Macrinus: D.C. 77.9.5, 77.12; Ulp. *Coll. Mos.* 16.9.3 = *FIRA* II 589.

73 Saller (1994); Champlin (1991).

74 Gai. *Inst.* 1.23 and 1.25.

75 Reinach (1950).

Inheritance by will is in some ways similar to the traditional *mancipatio*, a procedure restricted to Roman citizens, as we saw earlier.[76] Until AD 212, making wills was only possible between Roman citizens, even if we have to assume that the peregrine could have made wills according to their own laws. Hadrian had proclaimed an edict recognizing the sons of a Roman woman and a peregrine as the legitimate sons of their father[77] perhaps for that reason. Pausanias, in his description of Arcadia, written around AD 175, sheds a harsh light on the provisions reported by Gaius and the problems it could create for families of mixed status such as the Zegrenses of the *Tabula Banasitana* (Pausanias, *Periegesis* 8.43.5):

ὅσοις τῶν ὑπηκόων πολίταις ὑπῆρχεν εἶναι Ῥωμαίων, οἱ δὲ παῖδες ἐτέλουν σφίσιν ἐς τὸ Ἑλληνικόν, τούτοις ἐλείπετο ἢ καταvεῖμαι τὰ χρήματα ἐς οὐ προσήκοντας ἢ ἐπαυξῆσαι τὸν βασιλέως πλοῦτον κατὰ νόμον δή τινα· Ἀντωνῖνος δὲ ἐφῆκε καὶ τούτοις διδόναι σφᾶς παισὶ τὸν κλῆρον, προτιμήσας φανῆναι φιλάνθρωπος ἢ ὠφέλιμον ἐς χρήματα φυλάξαι νόμον.[78]	There was a certain law whereby provincials, who were themselves of Roman citizenship, while their children were considered of Greek nationality, were forced either to leave their property to strangers or let it increase the wealth of the emperor. Antoninus permitted all such to give to the children their heritage, choosing rather to show himself benevolent than to retain a law that swelled his riches.[79]

Thus, there were mixed families in the province of Arcadia in which parents had been able to obtain Roman citizenship, but not their children, whether they were the children of illegitimate marriages in regard of Roman law (i.e. without *conubium*), or the personal grant of citizenship had not been extended to them. In these cases, if their father was to make a will, he could only take Roman citizens as heirs, in all likelihood only outside of the family. Otherwise the will would have been declared void and the succession would have been considered intestate. In this case, children of another nationality were considered strangers and if there were no other legal heirs the succession would be considered vacant. Yet there are Augustan laws (*leges Iulia caducaria*) that deal with those vacant successions called *caduca* that were claimed by the impe-

76 Gai. *Inst.* 1.102, 1.104 and 1.116.

77 Gai. *Inst.* 1.77. See also Marotta (2012).

78 Goold (1995).

79 Trans. Jones (1995).

rial treasury by denunciation.[80] In Pausanias's text the emperor Antoninus Pius appears as a good and generous emperor, in contrast with the greedy Caracalla depicted by Cassius Dio,[81] who was said to grant Roman citizenship to every freeman with the sole purpose of earning the benefits of the *vicesima hereditatium*, the unpopular inheritance tax. However, in both cases, the right to make a will was an important privilege.

For a while there had been a manner to circumvent this rule: trusts. They were much less formal than wills and remained valid even if written in Greek,[82] something that was not permitted by Roman law.[83] If we are to believe Gaius, trusts may even have found their origin in peregrine law and, for a certain while, it was even possible to make peregrines inherit under a trust. However, Hadrian ended such practices and enacted new restrictions on trusts;[84] those meant for peregrines were considered *caduca* and thus would be claimed by the imperial treasury. Thus, in the second half of the second century AD, the situation described by Pausanias was probably common. Other earlier laws had tightened up the conditions under which inheritance could be given under a trust even between Roman citizens. This was the case for bachelors and couples without children, for whom receiving assets under a will was denied and who it appears lost the possibility to circumvent this interdict using a trust during the first century AD.[85] It was, however, possible to make Latin Junians inherit under a trust.[86]

Soldiers, on the other hand, benefitted from a special regime, with the possibility of making wills with less formal rules.[87] Sensitive to the difficulties of military life and probably seeking popularity among the legions, emperors successively granted extraordinary derogations in matters of testamentary successions to soldiers. For example, sons who were normally in the *potestas* of their father, and could therefore not dispose freely of their goods, had the excep-

80 Also called *"leges Julia et Papia Poppaea". Tit. Ulp.* 17.2, 28. *"Intestati datur bonorum possession per septem gradus* [...] *et si nemo sit, ad quem bonorum possession pertinere possit, aut sit quidem, sed ius suum omiserit, populo bona deferuntur ex lege Iulia caducaria"*; Plin. *Pan.* 10.84(88); *Dig.* 49.14.15.3, 5–6. See Champlin (1992); Astolfi (1965).

81 D.C. 77.9.5.

82 Gai. *Inst.* 2.281. Ulpian generalizes its validity to other languages, as long as both parties understand it: *Dig.* 45.1.1.6 (Ulp. 48 *Ad Sab.*).

83 See Wacke (1993) this restriction was later abolished under Alexander Severus.

84 Gai. *Inst.* 2.285–287.

85 Gai. *Inst.* 2.286–286a. See five notes before *Tit. Ulp.* 17.2.28.

86 Gai. *Inst.* 1.24 and 2.275.

87 Gai. *Inst.* 2.109–110.

tional right to make a will about their military savings: the *castrense peculium*.[88] But the most interesting of these derogations concern peregrines, as Gaius in *Institutes* 2.110 attests:

Praeterea permissum est iis et peregrinos et Latinos instituere heredes vel iis legare, cum alioquin peregrini quidem ratione civili prohibeantur capere hereditatem legataque, Latini vero per legem Iuniam.	Moreover, they are permitted to appoint even aliens and Latins as their heirs or legatees; while under other circumstances aliens are forbidden by the Civil Law from receiving estates and legacies, and Latins are forbidden to do so by the *lex Junia*.

Gaius reminds us that peregrines were normally denied this right because they did not benefit from Roman Civil Law, while Junian Latins, subjects to Roman Civil Law, were excluded by *lex Junia*. It has to be noted that veterans were also granted *conubium* with the peregrine or Latin women they had taken as their wives.[89] This can be explained only by the fact that soldiers often lived in the distant periphery of the Romanized word and that these extraordinary measures were necessary for emperors in order to gain their support.

Control of property at death was thus a very restricted privilege of Roman citizens. Roman laws were oriented toward the conservation and concentration of assets in the hands of Roman citizens and thus a rich provincial who was granted Roman citizenship could not back off and had to conclude a Roman marriage or to research further privileges, as we can see in the *Tabula Banasitana*.

3 Conclusion

In conclusion, it seems that Roman citizenship in the decades before the Antonine Constitution was still an enviable status reserved for restricted groups of people in the provinces, composed of those who were serving or had served the Empire. Their descendants could be part of this elite group under some conditions. Either the local community was sufficiently large to find other Roman citizens to marry, or their city was powerful enough to have obtained the right of *conubium* with Rome. In the less Romanized and less urbanized areas, the

88 Gai. *Inst*. 2.106.

89 Gai. *Inst*. 1.57. See Phang (2001).

prestige of the family had to remain intact (and this probably means that the service they were performing for Rome had to endure), so that they would be encouraged to seek Roman citizenship for their spouse or their children, as was the case for Aurelius Iulianus in the second rescript of the *Tabula Banasitana*. In these contexts, Roman citizenship was a status expressing a privileged relationship with Rome. In the absence of such citizenship, the transmission of status and control of property at death was compromised.

Access to Roman citizenship for those who were not in such enviable positions was restricted and could be granted to peregrines as a reward for long military service, or to Latin and freedmen of Junian Latin condition for specific behaviour judged to be beneficial to civic society. In both cases, the new citizen had to have spent a considerable amount of time being in contact with the Roman authorities and could therefore be easily assimilated with the other citizens. For these individuals, Roman citizenship conveyed the prestige of belonging to the same body of people as the ruling elite, along with the personal rights which we have discussed above.

Without going into the privileges regarding criminal law or legal standing, we have highlighted a number of advantages and rights that Roman civil law recognized exclusively for Roman citizens, to the detriment of other categories of persons, whether they were subjects to Roman law (freedmen or slaves) or to their own laws (peregrines). After AD 212, a lack of citizenship was a punitive status, resulting from a servile condition, from an incomplete *manumissio* conferring the status of Junian Latin or from the punishment of exile and *capitis deminutio*. This last sentence removed the *patria potestas*,[90] revoked wills[91] and could be an issue for the legal status of unborn children, as we have seen above.

After AD 212, therefore, the right of marrying anyone without any impact on citizen-rights, of transmitting one's legal status to one's descendants without restrictions, of making a will and having full control of one's property at death, were all possibilities that were open to all free men in the Empire. In this regard, the Antonine Constitution was at least a private revolution.[92]

90 Gai. *Inst.* 1.128.

91 Gai. *Inst.* 2.145–147.

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Bibliography

Ando, C. 2000. *Imperial Ideology and Provincial Loyalty in the Roman Empire*. Berkeley.

Ando, C. 2011. *Law, Language and Empire in the Roman Tradition*. Philadelphia.

Ando, C. 2012. *Imperial Rome AD 193 to 284: The Critical Century*. Edinburgh.

Ando, C., ed. 2016. *Citizenship and Empire in Europe 200–1900: The Antonine Constitution After 1800 years*. Stuttgart.

Astolfi, R. 1965. I Beni Vacanti E La Legislazione Caducaria. *Bullettino dell'Istituto Di Diritto Romano "Vittorio Scialoja"* 7: 323–336.

Babusiaux, U. 2015. *Wege zur Rechtsgeschichte: Römisches Erbrecht*. Stuttgart.

Babusiaux, U. and Mantovani, D. (soon to be released) *The Institutes of Gaius: Adventures of a Bestseller. Transmission, use and transformation of the text.* Pubblicazioni del Cedant. Pavia.

Behr, C.A. 1981. *P. Aelius Aristides. The Complete Works*. vol. 2. Leiden.

Behr, C.A. 1994. Studies on the Biography of Aelius Aristides. In *ANRW* II.34.2: 1140–1233. Berlin.

Benario, H.W. 1954. The Dediticii of the Constitutio Antoniniana. *Trans. Proc. Am. Philol. Assoc*. 85: 188–196.

Berger, A. 2014 [first edition 1953]. *Encyclopedic Dictionary of Roman Law*. Philadelphia.

Birks, P. 1985. The Roman Law Concept of Dominium and the Idea of Absolute Ownership. *Acta Juridica*. 1985: 1–27.

Bryen, A.Z. 2016. Reading the Citizenship Papyrus (P.Giss. 40). In Ando (2016): 29–44.

Buraselis, K. 2007 [first edition 1985]. *Θεία δωρεά: das göttlich-kaiserliche Geschenk: Studien zur Politik der Severer und zur "Constitutio Antoniniana"*. Wien.

Champlin, E. 1991. *Final Judgments: Duty and Emotion in Roman Wills, 200 B.C.–A.D. 250*. Berkeley.

Champlin, E. 1992. Death and Taxes. The Emperor and Inheritance. *SIFC* Ser 3 (10): 899–905.

Chastagnol, A. 1994. L'Empereur Hadrien et La Destinée Du Droit Latin Provincial Au Second Siècle Après Jésus-Christ. *Revue Historique* 292: 217–227.

Cherry, D. 1990. The Minician Law: Marriage and the Roman Citizenship. *Phoenix* 44: 244–266.

Corbo, C. 2013. *Constitutio Antoniniana: Ius Philosophia Religio*. Napoli.

Corcoran S. 2011. "Softly and Suddenly Vanished Away": The Junian Latins from Caracalla to the Carolingians. In *Römische Jurisprudenz—Dogmatik, Überlieferung, Rezeption. Festschrift Für Detlef Liebs Zum 75. Geburtstag*: 129–152. Berlin.

De Blois, L. 2014. The "Constitutio Antoniniana" (AD 212): Taxes or Religion? In *Mnemosyne Bibl. Class. Batava* 67, 6: 1014–1021.

De Quiroga, P. Lopez Barja. 1998. Junian Latins: Status and Numbers. *Athenaeum* 86.1: 133–163.

De Sainte Croix, G.E.M. 1998 [first edition 1981]. *The Class Struggle in the Ancient Greek World: From the Archaic Age to the Arab Conquests*, Ithaca (NY).

Dodds, J. 1991. The Impact of the Roman Law of Succession and Marriage on Women's Property and Independence. *Melb. Univ. Law Rev.* 18: 899–917.

Eck, W. and Wolff, H., eds. 1986. *Heer und Integrationspolitik: die römischen Militärdiplome als historische Quelle*. Köln.

Euzennat, M. and Seston, W. 1961. La citoyenneté romaine au temps de Marc Aurèle et de Commode, d'après la Tabula Banasitana. *Comptes-rendus des séances de l'Académie des Inscriptions et Belles-Lettres*, 105e année, 2: 317–324.

Euzennat, M. 1971. Un dossier de la chancellerie romaine: La Tabula Banasitana. Étude de diplomatique. *Comptes-rendus des séances de l'Académie des Inscriptions et Belles-Lettres*, 115e année, 3: 468–490.

Euzennat, M., Marion, J. and Gascou, J. 1982. *Inscriptions Antiques du Maroc: Inscriptions latines* (IAM II), 94: 76–91. Paris.

Evans-Grubbs, J. 2002. *Women and the Law in the Roman Empire: A Sourcebook on Marriage, Divorce and Widowhood*. London.

Forteza, A.R. 1992. Capitis Deminutio Minima: An Unresolved Problem. *Cuadernos de Filología Clásica: Estudios Latinos* 3: 49–70.

Frezouls, E. 1957. Les Baquates et la province romaine de Tingitane. *Bulletin d'Archéologie Marocaine* 2: 65–116.

Frier, B.W. and McGinn, T.A. 2004. *A Casebook on Roman Family Law*. Oxford.

Gardner, J.F. 1987. *Women in Roman Law and Society*. London.

Gardner, J.F. 1996. Hadrian and the Social Legacy of Augustus. *Labeo* 42 (1): 83–100.

Garnsey, P. 1966. The Lex Iulia and Appeal Under the Empire. *Journal of Roman Studies* 56: 167–189.

Garnsey, P. 1970. *Social Status and Legal Privileges in the Roman Empire*. Oxford.

Garnsey, P. 2004. Roman Citizenship and Roman Law. In *Approaching Late Antiquity*, eds. S. Swain and M. Edwards: 133–155. Oxford.

Gascou, J. 1999. Hadrien et le droit latin. *Zeitschrift für Papyrologie und Epigraphik* 127: 294–300.

Girard, P.F. and Senn, F. 1967. *Textes de droit romain, 7e éd. par un groupe de romanistes*. Paris.

Goold, G.P. (ed.) and Jones, W.H.S. (trans.). 1995 [first edition 1935]. *Pausanias. Description of Greece*. Cambridge (MA)–London.

Günther, S. 2007. Das Regelungswerk der "lex vicesima hereditatium" und seine Modifikationen in späterer Zeit. In *Pragmata*: 74–88. Wiesbaden.

Harris, W.V., ed. 2008. *Aelius Aristides Between Greece, Rome, and the Gods*. Leiden.

Heichelheim, F.M. 1941. The Text of the "Constitutio Antoniniana" and the Three Other Decrees of the Emperor Caracalla Contained in Papyrus Gissensis 40. *J. Egypt. Archaeol.* 26: 10–22.

Honoré, T. 1962. *Gaius*. Oxford.

Keil, B. 1958. *Aelii Aristidis Smyrnaei quae supersunt omnia. Vol. 2, Orationes XVII–LIII*. Berolini.

Koops, E. 2012. Second-Rate Citizens: Junian Latins and the Constitutio Antoniniana. *Maastricht journal of European and Comparative Law* 19: 223–239.

Kracker, J. and Scholz, M. 2012. Zur Reaktion auf die *Constitutio Antoniniana* und zum Umfang der Bürgerrechtsverleihungen anhand des kaiserlichen Familiennamens *Aurelius*. In Pferdehirt (2012): 67–76.

Kremer, D. 2006. *Ius Latinum: Le Concept de Droit Latin Sous La République et L'empire*. Paris.

Lamberti, F. 1993. *Tabulae Irnitanae: Municipalità E Ius Romanorum*. Napoli.

Lavan, M. 2016. The Spread of Roman Citizenship, 14–212 CE: Quantification in the Face of High Uncertainty. *Past and Present* 230: 3–46.

Looper-Friedman, S.E. 1987. The Decline of Manus-Marriage in Rome. *Tijdschrift Voor Rechtsgeschiedenis* 55: 281–296.

Marotta, V. 2009. *La cittadinanza romana in età imperiale (secoli I–III d.C.). Una sintesi*. Torino.

Marotta, V. 2012. I diritti degli stranieri. In *Roma caput mundi: una città tra domino e integrazione*, eds. A. Giardina et al. Milano: 201–209.

Mattiangeli, D. 2010. *Romanitas, Latinitas, Peregrinitas*. Città del Vaticano.

Mercogliano, F. 1997. *'Tituli ex corpore Ulpiani': storia di un testo*. Napoli.

Meyer, P.M., ed. 1910. *Griechische Papyri Im Museum Des Oberhessischen Geschichtsvereins Zu Giessen*. Leipzig.

Modrzejewski, J. 1970. *La règle de droit dans l'Egypte romaine: état des questions et perspectives de recherches. Proceedings of the twelfth international congress of papyrology*. Toronto.

Modrzejewski, J. 1993. Statut personnel et liens de famille dans les droits de l'Antiquité. *Collected studies series* 411. Aldershot.

Nelson, H.L.W. 1981. *Überlieferung, Aufbau Und Stil von Gai "Institutiones"*. Leiden.

Nicolet, C. 2006. Euzennat, Seston, et La Table de Banasa. *Antiquités Africaines: l'Afrique Du Nord de la Protohistoire à la Conquête Arabe* 42: 49–53.

Oliver, J.H. 1955. Free men and dediticii. *Am. J. Philol.* 76: 279–297.

Pferdehirt, B. 2002. *Die Rolle des Militärs für den sozialen Aufstieg in der römischen Kaiserzeit*. Mainz.

Pferdehirt, B., ed. 2012. *Bürgerrecht und Krise. Die Constitutio Antoniniana 212 n. Chr. und ihre innenpolitischen Folgen*. Mainz.

Phang, S.E. 2001. *The Marriage of Roman Soldiers (13 B.C.–A.D. 235): Law and Family in the Imperial Army*. Leiden.

Pharr, C. 2007. *The Theodosian Code and Novels, and the Sirmondian Constitutions*. New Jersey.

Reinach J., ed. 1950. *Gaius, Institutes*. Paris.

Riccobono, S., ed. 1908 *Fontes Juris Romani Antejustiniani: In Usum Scholarum* (= FIRA). Florence.

Rizakis, A.D. 2009. Noms Romains, "Identité Culturelle" et Acculturation Sous l'Empire: les Cités Péloponnésiennes entre Romanité et Hellénisme. In *Annu. Della Scuola Archeol. Atene E Delle Missioni Ital. Oriente* 9, 1: 565–580.

Roselaar, S. 2012. The Concept of "Commercium" in the Roman Republic. *Phoenix* 66 (3–4): 381–413.

Roselaar, S. 2013. The Concept of Conubium in the Roman Republic. In *New Frontiers: Law and Society in the Roman World*, ed. P. Du Plessis, 102–122. Edinburgh.

Rotondi, G. 1990 [first edition 1912], *Leges publicae populi romani: elenco cronologico con una introduzione sull'attività legislativa dei comizi romani*. Zürich.

Saller, R.P. 1994. *Patriarchy, Property and Death in the Roman Family*. Cambridge.

Sasse, C. 1958. *Die Constitutio Antoniniana: eine Untersuchung über den Umfang der Bürgerrechtsverleihung auf Grund des Papyrus Giss. 40 I*. Wiesbaden.

Sasse, C. 1962 Literaturübersicht zur Constitutio Antoniniana, *The Journal of juristic papyrology* 14: 109–149.

Sasse, C. 1965. Literaturübersicht zur Constitutio Antoniniana II. *The Journal of juristic papyrology* 15: 329–366.

Sherwin-White, A.N. 1973. *The Roman Citizenship*. Oxford. Second edition.

Soazick, K.-P. 1996. Les "numeri" ethniques de l'armée romaine aux IIe et IIIe siècles. *RSA* 26: 69–94.

Spagnuolo Vigorita, T. 1993. Cittadini e sudditi tra II e III secolo. In *Storia di Roma, III: L'eta' tardoantica, 1, Crisi e trasformazioni*, eds. A. Carandini, L. Cracco Ruggini, A. Giardina, 5–50. Torino.

Van Minnen, P. 2016. Three Edicts of Caracalla? A New Reading of P. Giss. 40. *Chiron* 46: 205–221.

Wacke, A. 1993. Gallisch, Punisch, Syrisch oder Griechisch statt Latein? Zur schrittweisen Gleichberechtigung der Geschäftssprachen im römischen Reich. *ZRG* 110: 14–59.

Weaver, P.R.C. 1990. Where Have All the Junian Latins Gone? Nomenclature and Status in the Early Empire. *Chiron* 20: 275–305.

PART 3

Ancient Citizenship in the Philosophical and Political Reflection

CHAPTER 9

Metaphorical Appeals to Civic Ethos in Lycurgus' *Against Leocrates**

Jakub Filonik

Democratic citizenship and political identity of classical Athenians have been studied from numerous perspectives,[1] as notions entangled in a set of social and moral preconceptions.[2] Despite the well-recognized fact that citizenship constituted a crucial socio-political category in Athens, it also—and to a large extent—created the very perspective through which citizens perceived their socio-political reality.[3] As a concept, it developed unevenly in Athens and other *poleis*, making one wary of substituting 'Greek' for 'Athenian',[4] but

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1 For recent reassessments, see in particular Scafuro (1994), Rhodes (2009); cf. Balot (2006) 53–57.

2 See Blok (2013) on the roots of civic identity in Athens, and Sinclair (1988) 49–76 on what was commonly expected of a citizen; see also a brief but good overview of these issues in Carey (2001) 36–42. Cf. Liddel (2007) on the rhetoric of civic obligations in fourth-century Athens, with Christ (2008) and Blok (2010); see also Manville (1994), who criticises modern influences on treating Athens as a 'state', but seems to rest his disapproval on an exclusively modern, post-Bodin idea of the 'state'; cf. n. 83 below on the polis as a 'state' proper.

3 As adroitly observed by Blok (2013) 162. See Herman (2010) and Epstein (2011) 96 on Athenian political bodies as the so-called 'traditioned groups', with shared symbolic sphere and identity.

4 See Blok (2005), Davies (2004).

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laying a fertile ground before students of Athenian literature interested in political discourse.

Metaphor, in turn, has most often been discussed as a figure of speech identified by Aristotle (*Rhet.* III 3–4, 1406b.1–11, 20–26), a way of equating through language two things commonly seen as distinct from each other ('man is a lion'), and thus primarily a matter of words, or poetic expression specifically. Yet since George Lakoff's and Mark Johnson's *Metaphors we live by* (1980), the so-called 'conceptual metaphor' has been widely studied in cognitive linguistics as a reflection of patterns of thought in which humans indulge in their everyday lives, which may—but need not—find its expression in literary language. Metaphor understood in such terms has been defined as a 'mapping between conceptual domains', leading to the understanding of one such domain in terms of another (e.g., 'politics is war' or 'love is heat').[5]

The present paper will attempt to trace this kind of metaphorical thinking in the civic discourse conveyed in Lycurgus' speech *Against Leocrates*.[6] It will analyse the expressions that refer to citizenship in a way similar to how the statement 'I'm afraid we need to go our separate *ways*, darling, this relationship isn't *going anywhere*' rests upon the understanding of 'relationship as a *journey*',[7] even though it does not express this concept through an explicit literary metaphor (cf. 'intellectual activity as farming' in the first paragraph of this essay). As scholars have noted, such metaphors need to be based on conceptual connections that make sense to their addressees. To accomplish this, they should provide coherent structure, by highlighting certain specific aspects of the conceptual framework they implement, while downplaying others, so that they may endow established ideas with a new meaning.[8] In this essay, by discussing their use in Lycurgus' *Against Leocrates*, I argue that Attic orators consciously employed such metaphorical concepts in appeals to their civic audiences in Athenian political institutions.[9] This paper will

5 See, e.g., Lakoff and Turner (1989) 1–4, 62–64, *passim*, Gentener and Bowdle (2008).

6 For a recent cognitive re-evaluation of the Roman concept of citizenship, see Ando (2015), and for a study of Greek political imagery more broadly, see Brock (2013); see also Sansò (2014) on cognitive linguistics in the studies of ancient Greek, and a recent discussion on its application in Cairns (2014). On civic metaphors in Athenian oratory and political rhetoric, see also Wohl (2009) and Cook (2012).

7 For this often-quoted conceptual metaphor, see Lakoff (1980) 44–45 (expressed there as '*love* is a journey', which I consider less precise in the context of 'splitting up').

8 See Lakoff and Johnson (1980) 139, 149–152.

9 This paper is a first step in a larger project, aiming at a comprehensive discussion of such metaphors in Athenian political discourse.

thus also aim to answer broader questions about the ideas underlying Greek political discourse and Athenian civic ideology specifically, along with the ways in which these could become relevant in what we may call political rhetoric.

The speech in question was written for an unusual court case, which rendered it particularly bountiful in its use of political language, especially in the ways it played upon Athenian citizens' understanding of civic ethos and their own role as citizens in troubled times. At some time between mid 331 and mid 330 BC,[10] several years after the Athenian defeat at Chaeronea, Lycurgus—a prominent politician at that time—brought to trial for treason, under the high-profile procedure of εἰσαγγελία, an Athenian citizen named Leocrates.[11] He had then already prosecuted Lysicles, the general in the lost battle brought to court and sentenced to death using similar legal means ([Plu.] *X orat.* 843d; cf. Lyc. 1.53 on Autolycus below). Leocrates, in turn, was a private citizen who had left Athens with his female companion[12] and slaves shortly after the battle—amid universal fear of Philip's imminent arrival at Athens—and came back to his native city after some six years abroad. It was not the only trial linked to these events to take place several years later. Within a year, another famous dispute was brought to people's attention—one concerning the crowning of Demosthenes by the people six years earlier, leaving a record in the famous pair of speeches by Aeschines and him (Aes. 3 and D. 18). As a result, both cases once again turned the defeat of 338 and its immediate aftermath into a burning issue,[13] as did Diondas' prosecution of Hypereides and the latter's defence speech some three years earlier.[14]

10 On the date of 331, as opposed to the traditionally assumed 330, see Harris (2001) 159, n. 1 and Whitehead (2006) 132 n. 2, cf. Harris (2013) 233, n. 54; see also an overview of dating issues in Engels (2014) 22, cf. (2008) 113. Lycurgus speaks of the trial as being held 'in the eighth year' after the battle (§ 45), that is at least seven years after early August 338, if we can at all count on the speaker's accuracy; all dates from this point will be BC, unless stated otherwise or obviously modern (as in dates of publication).

11 On εἰσαγγελία in late fourth-century Athens, see Hansen (1975) 16–20, 29–36, cf. Rhodes (1979) and Hansen (1980); cf. Hansen (1975) cat. 121 on Leocrates' case. It was around that time when the procedure started to be used more widely against private citizens rather than various 'public figures', cf. Azoulay (2011), but see Hyp. *Eux*. 28–29 with MacDowell (1978) 183–186.

12 Described by the speaker, perhaps slanderously, as a *hetaira* named Eirenis (§§ 17, 55) but otherwise unknown.

13 See Burke (1977) on the possible links between two cases, and Harris (1995) 174 to the contrary.

14 See Carey et al. (2008) for the *editio princeps* of Hypereides' speech, and a commentary by

1 Departure is Treason … and Sacrilege

Simply leaving the city, rather than escaping conscription, fleeing the battlefield, or abandoning one's post in a besieged city, was not punishable as treason in Athens at the time of Leocrates' departure, and thus Lycurgus needed to go to extra lengths to prove that what the defendant had done ought to be judged as 'treason' (προδοσία).[15] The prosecutor himself concedes that the Athenian laws prescribed no penalty for Leocrates' actions, although they listed other specific offences, and thus his case—he urges—needs careful scrutiny by the dikasts acting as posited 'lawgivers' entrusted with the task of 'giving an example' (§§8–9; παράδειγμα: cf. §§27, 83, 100, 127–129, 150; see also §10).[16] Leocrates apparently took up this line of defence in his now lost defence speech in reply to Lycurgus' accusations and argued that he had not been in charge of the shipyards, the city gates, or the camps (§59), while the supporting speakers[17] who accompanied him claimed openly that it was not 'treason' to leave the city (§68).[18] To forestall this (or respond to it in the version published later),[19]

Horváth (2014); cf. Rubinstein (2000) 224, n. 89 on Hypereides' and Demosthenes' likely collaboration in this period.

15 A law making such actions liable to prosecution as treason might have been introduced after his departure (as Petrie (1922) xxviii suggests), but it would not have been retroactive. According to the prosecutor, shortly before Leocrates' departure, the people prepared an ad-hoc decree and voted to 'have the generals assign for guard duty … [any citizen or metic] in whatever way they saw fit' (§16); cf. Hyp. *Ath.* 29, 33 for a law prohibiting Athenian metics from leaving the city during war. See Hyp. *Eux.* 7–8, 29 for the offences explicitly listed in the εἰσαγγελία law (quoted by the speaker not long after Leocrates' trial), cf. MacDowell (1978) 183–186 and n.11 above. See also Christ (2006) on various forms of 'cowardice' and 'un-civic behaviour' in Athens.

16 See Harris (2001) 160 and the rest of the introduction to the speech on this, cf. (2013) 175–176, 233–241, *passim* for a detailed analysis of the law's open texture; see Petrie (1922) 70 and Harris (2013) 261–266 on Lycurgus' use of the argument from precedent and Allen (2000) 20 on deterrent; see Harris (2013) 173–174, 250–266, 322, 325–326, 331 and Rubinstein (2007) on precedent and deterrent in Athenian oratory and legal system in general; see Harris (2000) 67–75 and Liddel (2007) 102–108 for analyses of the rhetorical argumentation employed in the speech. Asking the dikasts to become 'lawgivers' appears in four prosecution speeches in the oratorical corpus, see Harris (2013) 272–273.

17 *Synēgoroi*, on which see Rubinstein (2000); cf. Harris (2000) 67–75 on their line of argumentation in this trial.

18 The *nomos eisangeltikos*, referring to such obligations, could have been quoted by another prosecutor at Leocrates' trial before Lycurgus' speech.

19 The speech may have been edited before publication, and perhaps enhanced with addi-

Lycurgus aimed to persuade his audience by various appeals to the 'true' nature of treason—opposed to being a good citizen—in Athens,[20] and in doing so he employed a rich set of rhetorical tools in an attempt to shift the boundaries, trying both to win his questionable case and to prepare the ground for his future policies.[21] From the very beginning (§1), he claims that Leocrates betrayed the temples, shrines, precincts of the gods (cf. §§17, 143), honours granted by the laws, and ancestral sacrificial rites (cf. §35). At one point in his speech, he cleverly summarises what he wished to advocate, when referring to those usually accused of treason:

> Ἥξει δ' ἴσως ἐπ' ἐκεῖνον τὸν λόγον φερόμενος, ὃν αὐτῷ συμβεβουλεύκασί τινες τῶν συνηγόρων, ὡς οὐκ ἔνοχός ἐστι τῇ προδοσίᾳ· οὔτε γὰρ νεωρίων κύριος οὔτε πυλῶν οὔτε στρατοπέδων οὔθ' ὅλως τῶν τῆς πόλεως οὐδενός. ἐγὼ δ' ἡγοῦμαι τοὺς μὲν τούτων κυρίους μέρος ἄν τι προδοῦναι τῆς ὑμετέρας δυνάμεως, τουτονὶ δ' ὅλην ἔκδοτον ποιῆσαι τὴν πόλιν. ἔτι δ' οἱ μὲν τοὺς ζῶντας μόνον ἀδικοῦσι προδιδόντες, οὗτος δὲ καὶ **τοὺς τετελευτηκότας** {καὶ τὰ ἐν τῇ χώρᾳ ἱερά}, **τῶν πατρίων νομίμων ἀποστερῶν** …
>
> Perhaps he will come forward and rely on the argument that some of his supporters have advised him to use, namely, that he is not guilty of treason since he was not in charge of the shipyards, or the city gates, or the army camps, or any part of the city at all. My opinion is that men in those positions can betray part of our forces, but this man handed over the entire city to the enemy. The treason of the former harms only the living, but this man's treason **robbed even the dead** [and the temples in the countryside] **of their ancestral rites.**[22]
>
> §59

tional detail and more sophisticated arguments, as well as with replies to the original line of the defence; on revising delivered speeches of other orators in Athens, see Dover (1968) 170–172 on Lysias; cf. MacDowell (2009) 7–9 on Demosthenes.

20 Cf. Harris (2000) 74 = (2013) 240: 'Lycurgus' own view of treason is closely linked to his view of citizenship'; see also Azoulay (2011).

21 Faraguna (2011) 74, although not the first to observe this, summarises the issue well: 'Lykourgos' controversial abuse of *eisangelia* … and extensive interpretation of *asebeia* … had political implications that went far beyond the limited scope of Leokrates' trial'; cf. Azoulay (2011).

22 The Greek is based on N.C. Conomis's Teubner edition of 1970, and the translations of Lycurgus follow Harris (2001) (with modified spelling), unless stated otherwise.

In response to the defendant's claims, Lycurgus not only insists on calling his departure *treason* (προδοσία, προδοῦναι), but also appears to suggest that Leocrates is guilty of another crime, that of theft or, more specifically, temple[23] or grave robbery, since he *despoiled* (ἀποστερῶν) the dead and the temples of their metaphorical *belongings*, that is ancestral rites, as if they were living people owning actual possessions of which they may be deprived (cf. §§ 38, 97, 129, 147).[24] One man's act of leaving the city is thus equated with the actions of those who open the city gates and wilfully betray the besieged city to the enemy on the one hand,[25] and of those who steal sacred objects from the temples on the other. In using this metaphor, the speaker downplays the fact that the defendant had no official duty in the city at the time of his departure, and instead underscores the act of departing from the city with its temples and graves—crucial tokens of Athenian identity[26]—by likening it to abandoning the living people (yet he emphasizes the defendant's deeds as even worse than that). Such arguments rested upon the importance given in Greek thought to the *oikos* as continuing in time over generations, including the past and future ones, but stretched this idea much further in linking it to betraying one's country by 'abandoning' its sacred places and the cult objects of its particular households and families.

Another notable feature of this conceptualization is that the polis itself is treated here as an object and a commodity (rather than collective or an agent, cf. § 133), since it can be passed on to someone (ἔκδοτον ποιῆσαι, cf. § 78: παρέδωκε), as if it could be picked up and carried by hand: a metaphor and ambiguity embedded in the use of ἐκ- and παρα-διδόναι in classical Greek (cf. Eng. 'give' vs 'give up', or Lat. 'tra(ns)-do'), and presumably one consciously employed in Lycurgus' rhetorical endeavours to represent the act of *treason* (προ-δοσία). And since the country can be shared, passed on, or given away (see below), the speaker implies that it needs to be protected from any such harmful actions (cf. § 78). The passage in question thus rests upon a set of conceptual metaphors, which—if we take some conceptual schemas to be narrower than others[27]—may be described as follows: 'departure is treason', 'polis is an object',

23 If we accept the reading of the manuscripts.

24 See below with nn.29 and 77 on 'ancestral' gods, rites, and places.

25 Cf. Harris (2000) 72–73 on the usual meaning of προδοσία. Cf. Aen. Tact. 10.5–11.15 on the duties of—and restrictions imposed on—individuals in the *besieged* city.

26 See Blok (2013) 165: 'Tending the graves of deceased kin not only showed piety towards one's own dead, but also demonstrated one's identity as the heir of one's ancestors'.

27 Cf. Lakoff and Turner (1989) 64.

'dead people are living people',[28] 'temples are people' (cf. §§ 8, 17, 150), 'rites are (their) possessions', and 'departure is theft (or: sacrilege, cf. § 129)'. All of this, as we will have seen shortly, is in tune with the general argument the speaker was trying to make in accusing his opponent of treason, as he has done throughout the speech; in doing so, he even went so far as to imply that the defendant's departure and unwillingness to defend the interstate role of his polis—the effective outcome of losing the war with Macedon at the time of the trial—had been equal to planning an anti-democratic coup d' état (§ 126).

2 Objects are People

Earlier in his argumentation, the prosecutor claims that Leocrates, after his departure, had sent for sacred 'patrimonial' cult objects (τὰ ἱερὰ τὰ πατρῷα),[29] 'asking' them to abandon their fatherland and the temples as he himself had done, and thus forcing them to settle in a foreign country, strange to their nature in its customs (§ 25). And although the speaker mentions only nearby Megara, he presents to his audience the terrible fate of these sacred symbols dear to Athenian citizens by likening it to a non-citizen's life in an alien country, without the kindness and respect they would receive at home. In doing so, not only does he clearly employ the 'symbols are people' metaphor, but he also suggests that 'symbols *are* citizens (of a particular country)', which could be facilitated by the anthropomorphic nature of such figures.[30] Since those symbols were instituted by the ancestors of the contemporary Athenians, they themselves became and remained *Athenian*, and they could equally become *aliens* when 'dwelling' outside of their native city, having been forcefully resettled. This seems to imply not only that these sacred objects are defined by how they are being taken care of by citizens to whom they belong, but that people, too, are defined by their patrimonial symbols and can fully be deemed 'citizens' only when they remain in the city together with them.

This argument tallied well not only with Leocrates' roaming life after his departure, when he chose to reside as an alien deprived of civic privileges in other Greek cities, but also with the general fear shared by the Athenians and abundantly represented in classical literature that they might lose their status

28 On this conceptual blend, see Fauconnier and Turner (2002) 204–206.

29 See Parker (2005) 9–36 on the so-called 'household religion' and the ambiguous 'ancestral gods'; cf. Harris (2015) 77–79 on τὰ πάτρια in the laws of Greek *poleis*. See further below on πατρῷος.

30 See Sullivan (2002a) 99.

of Athenian citizens with all the advantages it entailed. The orator was able to exploit this fear by linking it to the belief that victory in battle depends upon divine favour (cf. § 82)—obtained through orderly worship—which Leocrates chose to turn into 'exportable goods' (§ 26), thus risking the gods' wrath against his native polis.[31] In doing so, the prosecutor obviously neglected to mention that Lycurgus' actions might as well be interpreted as his great care for these sacred ancestral images, since he took much effort in keeping them with him when staying abroad;[32] however, this period of Athenian history indeed shows a growing concern with the treatment of various cult objects and places of worship (sometimes regulated by law).[33]

Later in the speech, Lycurgus asks the dikasts if they are going to acquit someone who 'abandoned the *dēmos*' (§ 116: τὸν δῆμον ἐγκαταλιπόντα), as if the Athenian people *en masse* or its political system was a person or an object which could be left behind (the ambiguity and inherent metonymy in the term δῆμος, along with its contemporary deification, must have played a role in such conceptions).[34] Although Dinarchus (3.21) and Aeschines (3.170, 232) occasionally use the verb ἐγκαταλείπειν 'to leave behind' in a metaphorical sense, over one third of its occurrences in the entire oratorical corpus (over 150 individual works)[35] come from Lycurgus. He speaks of 'abandoning' the polis (§§ 26, 43, 134, 145, 147, cf. §§ 38, 112–114, 148) and its sacred matters (§ 2), the citizens (§ 5), ancestors (§§ 70, 97) and their tombs (§ 8), the land (to the enemies, § 89, cf. § 147) or the fatherland (§§ 52, 101, 144),[36] the commanders (§ 81, 'citing' the Oath of Plataea)[37], and finally, the laws (§ 143), much of which

31 See Parker (2005) 395–397 on the gods-protectors of the city, and pp. 397–403 on their role in warfare, cf. Mikalson (2010) 156–159; see also Mikalson (1983) 18–26 on the spheres of divine intervention and ways of securing the goodwill of the gods, cf. pp. 94–95, 99–100. On exporting the gods' favour by Leocrates, cf. Parker (1996) 251.

32 Cf. Sullivan (2002a) 98–99.

33 See, in particular, *IG* II³ 1, 445 with Lambert (2010) 230–231.

34 Although Lycurgus throughout the speech prefers the explicit term *dēmokratia* for the Athenian constitution, the *dēmos* at the time could denote 'the people', 'democracy' (explicit here in the petrified phrase δήμου κατάλυσις, §§ 124–126, 147), or 'the Assembly' (e.g., § 16, 19, 41); see Hansen (2010) on these—and other—meanings of the term. After Chaeronea, deified representations of Dēmos and Dēmokratia began to emerge in Athens, a practice apparently supported by Lycurgus, see Gilliland (2007).

35 See Edwards (1994) appendix 2.

36 The word 'fatherland' (πατρίς) also appears in this speech much more frequently than in any other preserved Athenian oration, see Allen (2000) 6, n. 2, cf. Engels (2008) 159. See below on the language of state-household in §§ 48, 53, with nn.75, 76, and 82.

37 Incidentally, in Lycurgus, the beginning is attested as Οὐ ποιήσομαι περὶ πλείονος τὸ ζῆν τῆς

he directly links to the defendant's act of leaving the city. This metaphorical concept—as opposed to abandoning a physical entity—is used throughout the speech alternately with another term from the same stem, ἐκλείπειν 'to forsake, abandon'. The way it is employed by the orator with all its military connotations, it frequently brings to mind fleeing the battlefield (λιπο-τάξιον), a serious crime punishable under Athenian law with disenfranchisement (see below).[38] Lycurgus plays upon this concept throughout his speech, linking departure to abandoning the country in need, desertion, and treason, in a litany of accusations: [ἐγ]καταλιπών—φυγών—προδούς '(that who) abandoned, fled, and betrayed' (e.g., in §§ 2, 5, 43, 114, 147–148).

3 Citizenship is Warfare

The allusion to desertion made way for another metaphor crucial to the speaker's argument: 'citizenship is war', or—more specifically—'democratic citizenship is a hoplite battle'. When studying Athenian oratory through a conceptual lens, one cannot fail to notice that military metaphors were a common way of expressing civic duties or ideals.[39] Such metaphors recur throughout *Against Leocrates* in various references to the defendant's act of leaving the city, represented as abandoning the battle line (in the phalanx), by definition threatening to hoplite warfare.[40] Lycurgus thus asks rhetorically:

> καίτοι κατ' ἐκείνους τοὺς χρόνους ὦ ἄνδρες τίς οὐκ ἂν τὴν πόλιν ἠλέησεν, οὐ μόνον πολίτης, ἀλλὰ καὶ ξένος ἐν τοῖς ἔμπροσθεν χρόνοις ἐπιδεδημηκώς; τίς δ'

ἐλευθερίας ('I will not consider living to be worth more than freedom', tr. JF), while in a mid fourth-century inscription as μαχοῦμαι ἕως ἂν ζῶ, καὶ οὐ περὶ πλέονος ποήσομαι τὸ ζῆν ἢ τὸ ἐλεύθερος εἶναι ('I shall fight while I live, and I shall not put life before being free', tr. RO); for the text and further discussion of its authenticity (including another quotation in Diodorus), see RO 88 § ii. Cf. Steinbock (2011) 294 ff.

38 On the law concerning λιποτάξιον, see Harris (2013) 217–220. See §§ 110, 130, 132 on Lycurgus' accusing Leocrates of 'cowardice' (δειλία), cf. Hansen (1976) 72–74. Ascribing avoidance of military duties to one's opponents was quite common in Athenian rhetorical practice, on which see Christ (2006) 46 with n. 4, *passim*.

39 On military metaphors in oratory, see, for example, Balot (2004) 251–253 and (2014) 66–70, Brock (2013) 161 ff., Yunis (1996) 269–277, Roisman (2004) 262, and Christ (2006) 138–140.

40 See Wees, van (2004) 108–113, 184–197 on the classical phalanx, Ridley (1979) on the socio-political aspects of hoplite training, and Crowley (2012) (esp. chs. 5 and 6) on the interdependence of citizens' identity and military discipline in Athens; cf. Harris (2013) 217.

> ἦν οὕτως ἢ μισόδημος τότ' ἢ μισαθήναιος, ὅστις ἐδυνήθη ἂν **ἄτακτον** {τὸν} αὑτὸν ὑπομεῖναι ἰδεῖν;
>
> And yet at that time who would not have taken pity on the city, not just a citizen but even a foreigner who had merely visited here in the past? Who could have despised the *dēmos*[41] and Athens so much that he could have borne to see himself **not at his post**?
>
> § 39, tr. modified

Since Leocrates was not assigned a *post* while remaining in the city, as hoplites in the battlefield were, the speaker's words need to be read metaphorically, as a reference to the defendant's role as a citizen in the polis, whose proper 'battle-line order' was to remain in his native city and defend it if the need ever arose in those unsteady times. By employing the phalanx metaphor, the prosecutor suggests that one man's actions in the polis at a particular moment could be crucial to its survival, contrary to what the defendant's supporters seem to have claimed in court (cf. § 63, quoted below). Since Leocrates—in the prosecutor's view—did not fulfil his duty, he became a *deserter*, having fled from the metaphorical civic battlefield by dereliction, as many of his fellow citizens had less virtually done either at Chaeronea or by not showing up for service before the battle.[42] While 'taking pity' on the polis (cf. § 17) might be read as either a commonly used metaphor ('states are people') or metonymy ('polis for its inhabitants'), which are not always easily distinguishable in conceptual terms (cf. § § 93, 128; but see § § 41–43, 60–62),[43] the rest of this revealing passage rests upon the 'citizenship is warfare' metaphor, in which citizens are soldiers bound to remain in a certain *order* (τάξις) in defence of their polis, with their public activities imagined on a civic battleground. It is by reversal of this duty that not living up to the prosecutor's political ideals makes the defendant a 'people-hater' (μισόδημος) and an 'anti-Athenian' (μισαθήναιος) (§ 39), that is an exemplary 'bad citizen', the anti-hero of Athenian polis, contrary to the city-loving prosecutor (§ 3: φιλόπολις).[44]

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41 See n.34 above on *dēmos* as either 'the people' or 'democracy'.

42 See Christ (2006) 49, 94–95, 135–136 and Sullivan (2002a) 111.

43 See discussions on the problematic distinction between metonymy and metaphor in Lakoff (1980) 35–40, Panther and Thornburg (2007), and essays in Barcelona (2000). Nonetheless, the classical Greeks would almost always speak of, e.g., 'the Athenians' or 'the Lacedemonians', rather than 'Athens' or 'Sparta'.

44 Cf. Whitehead (2006) 146. On various types of citizens who did not fulfil their civic duties in Athens and their representation in Athenian political discourse, see Christ (2006).

Tellingly, the first surviving reference to the citizen's duty presented as standing in the battle-line order in civil war is Lysias' *dokimasia* speech *Against Philon* (Lys. 31.14, 28) written at the turn of the fifth and fourth centuries,[45] a fervent denunciation of the mode of life of a former supporter of the oligarchic regime of the Thirty.[46] Numerous similarities between the two speeches and court cases have long been observed, and there is little doubt now that Lycurgus had the Lysianic speech before his eyes when preparing his own, drawing from his 'prototype' extensively.[47] And although citizens soon after the rule of the Thirty were often informally accused of 'staying in the city' and thus showing support for the oligarchic regime, rather than departing from it (which is what the democrats had done), Philon's case was less typical. He was accused of leaving the city and not choosing either side in the conflict by preferring to 'live dishonourably' as a metic elsewhere (Lys. 31.8–19, 26, 27), an idea commonly presented as abominable in classical Athenian sources, even though in this case the stay abroad was limited to the brief time of the conflict.[48] In the context of the Thirty this amounted to the accusation of 'betraying' the democratic polis (expressed as not protecting its 'freedom').[49] Second, he was blamed by the speaker for not providing a proper burial to his mother (31.20–23), a significant accusation in a *dokimasia* (cf. n.46 above). Third, and even more crucial, Philon was accused of 'betraying the entire polis' through his actions (31.26, cf. § 9), while making profit abroad at the expense of his fellow citizens (31.17–19,

45 As rightly observed by Brock (2013) 162 with nn. 157 and 158. See Carey (1989) 179 and Todd (2000) 310 on the date, and Carey (1989) 179–204 for a commentary on the speech. The first reference is literal (the on-going fights between two sides of the conflict), but the second is metaphorical (there is a certain *order* in the polis that needs to be kept by citizen-soldiers, and failing to do so equals desertion and treason, cf. 31.26); see Carey (1989) 192 on the language of 'taking up a position' with further references.

46 On *dokimasia*, a public examination common in various Athenian institutions (in this case, of the to-be Council member), see [Arist.] *Ath. Pol.* 55.3, Feyel (2009) 160–171, *passim*, cf. MacDowell (1978) 167–169, Todd (2010), Gagliardi (2010); see a brief overview in Todd (1993) 285–289 on its role after the regime of the Thirty.

47 See Whitehead (2006), cf. Petrie (1922) 79, 87, Carey (1989) 183.

48 See Carey (1989) 186–187, Whitehead (2006) 139–140; cf. E. *Ion* 670–675 on exile as the lack of civic *parrhēsia*.

49 'Staying in the city', that is under the ruling oligarchic regime, was a popular informal accusation—that is one limited by the amnesty—against those who did not go to exile; see the wording of Lys. 18.19, 25.1, 2, 3, 5, 26.16 and Isoc. 18.42, 50, 7.68; note also the title of the fragmentary speech 50 (frr. 106–107 Carey), given by the manuscripts as ὑπὲρ Ἐρυξιμάχου μείναντος ἐν ἄστει (*For Eryximachus, who had remained in the city*). On the argument of Philon's 'betrayal', see an overview in Todd (2000) 308–309.

cf. *Leocr*. 21–27, 55–56, 88).[50] Fourth, he was said to have abandoned ancestral gods and thus to have no respect for oaths, sworn before them (31.31), and fifth, he also claimed that there had not existed a specific law which he could break by such actions (31.27–28). The Lysianic speech thus presented a model of criticism of 'anti-civic' behaviour, with its own set of conceptual metaphors used to illustrate political activities in a democracy.[51]

The use of the 'citizenship is warfare' metaphor, on which both speakers' arguments rested, most probably points not only to the particularity of both cases but also a more general trait in the Athenians' perception of their own citizenship and its relation to the state, which the professional speakers and speechwriters skilfully exploited. Within such conceptualizations, the *citizen* appears to be envisaged as one party to the common model of state organization, which we might be tempted to call an early form of social contract[52] but which the Greeks would usually describe in terms of reciprocity (cf. below with n.80), with the (personified) state acting as the other. According to this model, adult male citizens need to defend the state with their life, while the state likewise takes responsibility for protecting its citizens. To follow Lycurgus' argument based on such presumptions, leaving one's proper place (*taxis*) in the polis ought to be understood as endangering the entire civic body, just as leaving the *taxis* in a hoplite battle would endanger the rest of the soldiers, each covered by the shield of the man next in line and thus dependent upon a single person and group solidarity, including encouraging others to carry on fighting (note the speaker's own explanations in § 77).

Such metaphors highlighted each person's responsibility for the community, but downplayed the fact that one person's act of leaving the city hardly amounted to endangering one's neighbour or fellow citizen as it would in an actual battle. The phalanx imagery and group solidarity in the descriptions of the city's wellbeing in fact dated back to Tyrtaeus' poetry from the 7th century (e.g., 11.31–34W, 10W), which Lycurgus quotes extensively in the speech (§§ 106–107 = 10 W) and which promulgated the patriotic ethos of honour won in dying for the political community apparently very close to the prosecutor's heart, praising the brave and condemning the deserters. And indeed, it was through extensive quotations from poetry as an already-coined reflection of the normative image of patriotism that Lycurgus' claims about model civic

50 Cf. Whitehead (2006) 140.

51 Including being a good citizen and Council member presented as '*sharing* in the good and the bad that happens to one's polis' (31.5–7); cf. Filonik (2015) chapter 3.4.1.a on the rhetoric of freedom in this speech.

52 See Harris (2016) on the inapplicability of the social contract theory to classical Greece.

demeanour could reach their full end (cf. § 100), coupled with a set of skilful conceptual metaphors.[53] Such remarks, common in Greek literature and political discourse, were of course aimed to encourage future participation in warfare, but here the prosecutor takes it one step further by applying this model to a situation not related to an actual battle or fighting.

One could, of course, argue that in the near future Leocrates might have been required to take a military post, for example, during the expected siege of the city, yet this is not a point that the speaker puts forward. Instead, he focuses on the citizen's duty to *share everyone else's fate* as the citizen's proper civic 'post', or 'place in the battle line', and in doing so he employs a military metaphor quite common in oratory. And even though the '*dēmos* is an army' metaphor had its basis in the explicit ideology of 'citizen army',[54] in turning to such conceptions public speakers extended the idea of 'warfare' to the various aspects of city life important to Athenian citizens and useful to their own rhetorical argumentation. Perhaps in this particular case it was also meant to serve as a reference to the recent 'patriotic' reform of the ephebic training by Epicrates, which was at the very least supported by Lycurgus.[55] The latter was also involved in a number of similar enterprises, including both the proposed and finalized changes in Athenian religion, architecture, statues, finances, laws, inscriptions, and archives.[56] In fact, Lycurgus' conception of civic duties and treason seems to be tightly linked to the recently rephrased ephebic oath in the coining of which he probably participated and which he quoted later in the speech (see below). Young Athenian trainees swore in it, among other things, to defend the sacred rites and the boundaries of their polis, and hand it down to posterity greater—all of which the defendant failed to fulfil according to the charge, by allegedly 'giving the land to the enemy' (and thus 'lessening' it) and leaving the sacred precincts 'abandoned'.[57]

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53 See Hanink (2014) 25–59, Allen (2000) 25–26.

54 Quite far indeed from the actual military practice which shows the involvement of many non-citizens in warfare; see Wees, van (2004) 45–46, 71–76, 211–212, 241–243.

55 See Faraguna (2011) 69 briefly on the likely role of both, cf. Sullivan (2002) 152–153. On the ephebic training, ideology, and oath in more detail, see RO 88 § ii, Friend (2009), and Steinbock (2011). On the variety of 'civic oaths' in ancient Greece, see Hansen (2015) 32–53.

56 On the reforms of the so-called 'Lycurgan period', see, in particular, Mitchel (1970), Humphreys (1985), Engels (2008) 13–28, Faraguna (2011), Lambert (2010) and (2011), Taddei (2012) 35–62, and Hanink (2014). See also the decree honouring Lycurgus, *IG* II^2 457 + 3207, cf. [Plu.] *X orat.* 851f–852e.

57 The oath itself is not preserved in our manuscripts, but its content is known from else-

Military metaphors in oratory could sometimes extend to subjects other than just the defendant and be used either to describe the struggle of the speaker trying to persuade his audience (thus fulfilling his civic duty, cf. n.39 above), or to present other citizens' role in the polis as a battle against various adversities. This includes presenting before the dikasts their proper role as *guardians* of civic ethos and political order, based on the 'litigation is war' metaphor. Lycurgus, for his part, solemnly instructs the judges:

> … ἀξιοῦτε οὖν τοὺς μάρτυρας ἀναβαίνειν καὶ μὴ ὀκνεῖν, μηδὲ περὶ πλείονος ποιεῖσθαι τὰς χάριτας ὑμῶν καὶ τῆς πόλεως, ἀλλ' **ἀποδιδόναι τῇ πατρίδι τἀληθῆ καὶ τὰ δίκαια**, καὶ **μὴ λείπειν τὴν τάξιν ταύτην**, μηδὲ μιμεῖσθαι Λεωκράτην, ἢ λαβόντας τὰ ἱερὰ κατὰ τὸν νόμον ἐξομόσασθαι.
>
> Insist therefore that these witnesses come forward and that they do not hold back; demand that they do not place personal favours ahead of their respect for you and the city but **that they** either **repay their country with truth and justice** and **that they do not desert their post** in imitation of Leocrates or perform the rites and refuse on oath to testify in accordance with the law.
>
> § 20, tr. slightly modified

In this call to fulfil everyone's obligation, the speaker introduces the dikasts' task as being *guardians* of the civic order (cf. below with n.98) and the witnesses' role as *battle*, by urging the former to make sure that the latter stay in the battle-line formation, rather than desert it (μὴ λείπειν τὴν τάξιν ταύτην), as Leocrates had done, thus turning traitor. In keeping with this military-civic order, the citizen-witnesses ought to pay back their country (ἀποδιδόναι τῇ πατρίδι) for their citizenship with truthful and just witnessing. The speaker's point rests upon the 'citizenship is a debt' metaphor (see below) with respect to the witnesses (in which 'moral standards are possessions', or 'a currency'), while Leocrates' case is brought again to attention to emphasize that 'citizenship is (hoplite) warfare', which leads to the conclusion that 'witnessing is warfare', too. Athenian citizenship is presented here as a beneficial gift and part of a loan (that is a contractual agreement) that needs to be eventually repaid, not

where, including a fourth-century stele from the deme Acharnae (cf. n.37 above). On the idea of 'giving' the land to the enemy, its relation to the oath, and hoplite ethos, see Steinbock (2011) 296–297, 306–307, cf. Hesk (2000) 100–101. See above on Lys. 31.31 and the religious dimension of citizenship stemming from the breach of the oath.

least by activities in the various political institutions of the city. This conceptualization of citizenship within the bonds of institutionalized reciprocity is reiterated on various occasions in Athenian oratory, as will soon become clear on the basis of other examples.

4 Citizenship is Sharing

Citizenship in Athenian sources is commonly referred to metaphorically as 'having a share in the polis' or in the polis's affairs (μετ-έχειν [τῶν] τῆς πόλεως, cf. n.64 below),[58] a conception and phrasing not specific to Athens,[59] but one quite distinct from the modern idea of 'citizen rights',[60] and perhaps closer—yet not equal—to 'participation' but instead phrased through the idea of ownership (cf. n.64 below). This metaphorical expression rests upon the concept that 'polis is a possession', while 'citizenship is owning a share', which—in turn—implies that 'citizens are shareholders', or 'part-owners'. This conceptualization of Athenian citizenship usually involves participating in certain social (religious) and political activities and privileges. It thus rests on the 'actions are objects (or: possessions)' metaphor, since all of them are part of the conceived 'share'. It is well demonstrated by a passage from one of the final sections of the speech:

> καὶ γὰρ δεινὸν καὶ σχέτλιον, ὅταν **νομίζῃ δεῖν Λεωκράτης ἴσον ἔχειν** ὁ φυγὼν **ἐν τῇ τῶν μεινάντων πόλει**, καὶ ὁ μὴ κινδυνεύσας **ἐν τῇ τῶν παραταξαμένων**, καὶ ὁ μὴ διαφυλάξας **ἐν τῇ τῶν σωσάντων**, ἀλλ' **ἥκῃ ἱερῶν θυσιῶν ἀγορᾶς νόμων πολιτείας μεθέξων**, ὑπὲρ ὧν τοῦ μὴ καταλυθῆναι χίλιοι τῶν ὑμετέρων πολιτῶν ἐν Χαιρωνείᾳ ἐτελεύτησαν καὶ δημοσίᾳ αὐτοὺς ἡ πόλις ἔθαψαν …
>
> It would be a terrible shock **if Leocrates**, who fled, did not face danger, and failed to protect the city, **thinks he should have an equal share in the city of those who remained, stayed at their posts, and saved the city.** But **he comes to share the temples, sacrifices, market, laws, and privileges**

58 See, for example, [D.] 59.28, 111, D. 24.202, [26].2, 57.51, Aes. 1.160, [Lys.] 4.48; cf. [D.] 25.26, [59].104; X. *Eq.* 2.1, Arist. *Pol.* III 9, 1280a.26–27, V 12, 1316b.2, VII 9, 1329a.20, [*Ath. Pol.*] 8.5, 26.3, 42.1 (τῆς πολιτείας); see also Lyc. 1.5, 127, 134; cf. Antiph. 6.4. On 'sharing in the *hiera* and *hosia*', see Blok (2013) 163–164.

59 See Gawantka (1975) 22–29 on the non-Athenian use of this concept; cf. Brock (2015).

60 On the idea of citizenship as 'sharing in the city', as opposed to modern 'possession of rights', see Ostwald (1996) = (2009) 7–21.

> **of citizenship**, for which 1,000 of your citizens died at Chaeronea so that they may not be destroyed, men whom the city buried at public expense.
> § 142, tr. modified

Here, the metaphorical 'share' (ἴσον ἔχειν, μεθέξων) in the 'city of those who stayed and saved it'—apparently, by the simple act of not leaving, since there was no further fighting—includes both the spheres of activity not exclusive to citizens, such as religion and law,[61] *and* the actual privilege of participating in citizenship (πολιτεία).[62] The latter commonly included being able to take part in certain political activities, such as meeting at the Assembly, holding magistracies, and serving as a dikast, as well as the prerogative to own land in Athens (by purchase or inheritance) and to enter into formal marriage (by ἐγγύη) with an Athenian. And in fact, metics and foreigners were excluded from this very tangible 'share' in the polis, since they were not registered in the demes and thus could not own land in Attica without special permission.[63] Nonetheless, Lycurgus and other classical authors use the phrasing of 'sharing' metaphorically, especially with reference to participating in the 'affairs of the polis'.[64] Perhaps the best summary of various forms of 'having a share' in the city can be seen by looking at what was taken away from a citizen who became

61 The role of the *agora* on this list is less straightforward, since citizens were somewhat more entitled than metics and foreigners to the 'market as a trading place' (cf. D. 57.31), but the latter also 'had their share' in it. Cf. Vlassopoulos (2007) on the spaces in Athens where people of different political statuses could meet (however, the outcome and regulation of such meetings is a separate question).

62 The abstract notion of *politeia* in this sense refers in the classical sources primarily to citizenship as a status either granted or claimed ('the privilege of citizenship'), cf. LSJ s.v. (I.1), but in general the term was used since the late fifth century primarily in reference to the character of the polity, cf. Blok (2013) 163.

63 Cf. Patterson (2000) 98 on metics' political exclusion; but see Wijma (2014) on their inclusion in Athenian cults. See MacDowell (1978) 76–79, Harrison (1968) 189–199, and Todd (1993) 194–199 on their economic privileges and duties, and legal status more generally.

64 The fine but important distinction seems to be one between the original content of both phrases. While 'sharing in the polis' can either have the literal, more tangible—and perhaps primary—meaning of having a share in the state conceptualized as the *land*, which can be 'owned' and 'divided' as an object (a separate conceptual metaphor, but on a different level), it can also mean 'sharing in the state' as an abstraction, with all the privileges of being its citizen just mentioned. The phrase 'sharing in the polis's matters', on the other hand, seems to be unambiguously metaphorical, and refers to the activities of the citizen in the polis as if such activities were objects that could be divided and shared between those participating in them, and was perhaps coined on the basis of the former concept (cf. D. 15.32: μηδενὸς τῶν κοινῶν μετέχειν).

disenfranchised (ἄτιμος), that is the ability to appear not only in courts and in the Assembly, but also in the market *and* the temples,[65] both of which even metics could normally participate in to a certain degree.

What seems particularly curious about the quoted passage is that in stressing that 'citizenship is guardianship', which includes looking after (διαφυλάττειν) the polis and taking risks for it (κινδυνεύειν), the speaker employs the language of *stasis*, or civil war.[66] When he calls Leocrates 'the exile' (ὁ φυγών), while the citizens in the city 'those who stayed' (μείναντες), he seems to be pointing to two separate groups of citizens and two different modes of civic demeanour. Although the roles of those who stayed and those who left had been different then, such oppositions were a mark of the political language after the democratic restoration of 403, and are found, for example, in the surviving speeches by Lysias written not long after these events (see, e.g., Lys. 18.19 of ca. 396; cf. above on Lys. 31). Their sudden reappearance in the 330s manifests itself as Lycurgus' conscious summoning back of the dividing lines from that era, suggesting that the defendant sided in the metaphorical 'civil war' with those who chose not to protect the city, as opposed to those who died at Chaeronea, worthy of having a share in the city.

The metaphors of 'sharing' or 'having a share' in the polis could be formulated in either technical or more general terms. For example, when commemorating the legendary kings of Athens, the prosecutor reminds everyone that because they gave their lives for the benefit of their polis,

> … μονώτατοι ἐπώνυμοι τῆς χώρας εἰσίν, ἰσοθέων τιμῶν τετυχηκότες, εἰκότως· ὑπὲρ ἧς γὰρ οὕτω σφόδρα ἐσπούδαζον, δικαίως **ταύτης καὶ τεθνεῶτες ἐκληρονόμουν.** ἀλλὰ Λεωκράτης **οὔτε ζῶν οὔτε τεθνεὼς** δικαίως ἂν **αὐτῆς μετάσχοι,** μονώτατος ⟨δ'⟩ ἂν προσηκόντως ἐξορισθείη τῆς χώρας, ἣν ἐγκαταλιπὼν τοῖς πολεμίοις ᾤχετο· οὐδὲ γὰρ καλὸν τὴν αὐτὴν καλύπτειν τοὺς τῇ ἀρετῇ διαφέροντας καὶ τὸν κάκιστον πάντων ἀνθρώπων.

> … they alone have given their names to our country and have received divine honours—and rightly so. **Even in death they** justly **inherited a share of the country** to which they were so firmly devoted. But Leocrates **should have no share of our country either in life or in death** according to justice. He alone would rightly be cast out of the country that he

65 Cf. Todd (1993) 142–143, 182–184. On *atimia* in Athens, see Hansen (1976) 55–90 and Kamen (2013) chapter 7.

66 I would like to thank Lene Rubinstein for bringing this to my attention.

> betrayed to the enemy. For it is not right that the same land should cover men who excelled in bravery and the greatest coward of all mankind.
>
> §§ 88–89, tr. modified

Since these mythical heroes were the ones after whom the Athenian tribes, that is the primary division units of the polis, received their names, they now, even after death, still have their share in the *land*. In fact, Lycurgus uses here a term (κληρονομεῖν) which points to the technical language of inheritance,[67] as if the dead kings not only continued to possess a share of the land to which they had left their names, but had actually *inherited* it as their possession because of their display of care for the city. He also reemphasizes the importance of the land to the Athenian civic body in the same breath when he states that the same soil should not cover its best and worse men. An apparently conscious paradox on the part of the prosecutor derives from the fact that normally the dead would be the ones leaving the inheritance, rather than inheriting anything themselves. Thus, within the boundaries of this metaphor, the dead ancestors are given—by reversal—the role of living citizens, and they do so by contributing to the polis's prosperity.[68]

All these metaphors link back to the conceptualization of citizenship as 'sharing' or 'owning a share',[69] since Leocrates—by failing to be a good citizen and take care of his polis—does not merit *having a share* in the city either in life or in death, equally deservedly being deprived of it as the kings were exceptional (μονώτατος—μονώτατοι) in proving to be worthy of theirs. Apparently it was the prevalence of the metaphorical conceptualization of citizenship as 'having a share in the polis' in Athenian political parlance that cleared the way for the professional speakers to construct new meaning by playing on the concepts of 'sharing' and 'partaking' in the way Lycurgus does.

67 There are actually three levels of conceptualization behind the term itself: (1) the act of allotting (κληροῦν), (2) the 'allotted' part, or piece of land in general (κλῆρος), and (3) inheritance as an abstraction of the process of receiving this κλῆρος. On eponymous heroes, see Steinbock (2011) 289–294, *passim*.

68 On Lycurgus' use of myth and poetry in appeals to Athenian civic identity, see Engels (2014) and Hanink (2014) 25–59; cf. Parker (1996) 242–255. On Athenian inheritance law, see Griffith-Williams (2013) 3–23. Incidentally, it was the heir that would normally undertake the duty to perform religious rituals for the dead relative in Athens, cf. Parker (2005) 22–31 and n.26 above.

69 Cf. Petrie (1922) 159 ad loc.

5 Citizenship is Protecting

When reiterating that the polis is something which should be given special care, the orator moreover points to those who are or should be responsible for ensuring that such an obligation is being carried out. At the beginning of his speech, he explains:

> τρία γάρ ἐστι τὰ μέγιστα, ἃ **διαφυλάττει καὶ διασῴζει τὴν δημοκρατίαν καὶ τὴν τῆς πόλεως εὐδαιμονίαν**, πρῶτον μὲν ἡ τῶν νόμων τάξις, δεύτερον δ' ἡ τῶν δικαστῶν ψῆφος, τρίτον δ' ἡ τούτοις τἀδικήματα παραδιδοῦσα κρίσις.
>
> Three things are most **responsible for guarding and protecting the democracy and the city's prosperity**: first, the system of laws; second, the vote of the judges; and third, the trial, which brings crimes under their control.
>
> §§ 3–4

The order of the laws, the dikasts' ballot (that is each dikast's ability to vote), and the court proceedings themselves thus safeguard the Athenian democracy and the city's overall wellbeing. Within the common set of metaphors: 'political system is a person', 'polis is a person', 'laws are agents', and 'actions are people' (adorned by a topical 'stone for vote' metonymy), there remains an underlying concept that the city with its political institutions deserves protection equal to that received by human beings, for which someone ought to be held responsible. Lycurgus soon suggests that by failing to save the Acropolis with its gods Zeus and Athena the Saviours, the defendant—who had 'abandoned' them—himself should not be saved by his polis, equated with its patron gods through their statues (§ 17).[70] Later in the prosecution, he once more instructs the judges:

> … καὶ τοῦθ' ὑμᾶς δεῖ μαθεῖν, ὅτι **τὸ συνέχον τὴν δημοκρατίαν ὅρκος ἐστί**. τρία γάρ ἐστιν ἐξ ὧν ἡ πολιτεία συνέστηκεν, ὁ ἄρχων, ὁ δικαστής, ὁ ἰδιώτης. τούτων τοίνυν ἕκαστος ταύτην πίστιν δίδωσιν, εἰκότως …
>
> … you must realize that **what preserves our democracy is the oath**. There are three elements of the constitution: the magistrate, the judge, and the private citizen. Each of these gives this oath as a pledge and rightly so.
>
> § 79, tr. slightly modified

70 See Lambert (2010) 229.

To render the speaker's words literally, 'what *holds* the democracy *together*' (τὸ συνέχον τὴν δημοκρατίαν) is the oath. This curious expression reveals an assumption that the 'oath is a binding material' (or force) that keeps the polity from dissolving (cf. §§77–78). The speaker thus conceptualizes the constitution as a set of dispersed elements, held together by an external power. He does not miss the opportunity to name these elements, which—somewhat curiously in the military context—all derive from the judicial (that is political) institutions of the city (cf. And. 1.9, D. 24.2), with the private citizen acting as a volunteer prosecutor *in spe*.[71] In his typology of civic roles, Lycurgus enumerates only three possibilities for his audience to endorse (as he does with naming just three safeguards of the constitution), in a mode favoured by the orators, as if these three were indeed the only options available to Athenian citizens, rather than simply fitted the speaker's rhetorical ends at the time.

This statement also helped to underline the importance of another oath with religious significance, that which all young citizens undergoing a military training were expected to swear as ephebes, to which the speaker repeatedly alludes throughout his prosecution (see below). The use of such metaphorical concepts in addressing Athenian audiences was meant to draw attention only to specific aspects of civic activities and present them as every good citizen's duty and indeed the only choice available to him. The theme of such duties comes back in various forms in the prosecution's line of argument, including the speaker's explicit remarks on the nature of such relations in reference to other cities destroyed in the past (cf. §§41–43, 60–62, 149):[72]

> Ἴσως οὖν τῶν συνηγόρων αὐτῷ τολμήσει τις εἰπεῖν, μικρὸν τὸ πρᾶγμα ποιῶν, ὡς οὐδὲν ἂν παρ' ἕνα ἄνθρωπον ἐγένετο τούτων ... ἡγοῦμαι δ' ἔγωγε ὦ ἄνδρες τοὐναντίον τούτοις, παρὰ τοῦτον εἶναι τῇ πόλει τὴν σωτηρίαν. **ἡ γὰρ πόλις οἰκεῖται κατὰ τὴν ἰδίαν ἑκάστου μοῖραν φυλαττομένη·** ὅταν οὖν ταύτην ἐφ' ἑνός τις παρίδῃ, λέληθεν ἑαυτὸν ἐφ' ἁπάντων τοῦτο πεποιηκώς.
>
> Perhaps one of his supporters will dare to minimize his crime and say that one man could not be responsible for these disasters ... My opinion, gentlemen, is very different from theirs: the city's safety was this man's responsibility. **Every individual has his own personal share in managing**

71 On the role of volunteers in the Athenian legal system, see Rubinstein (1998) and (2000) 186–198; cf. Rubinstein (2003) on other *poleis*. See also Christ (2012) 84–87 on Leocrates' justification of volunteer prosecution.

72 See also Hyp. *Ath.* 29, *Phil.* 7 on the metaphor of 'condemning the city to death'.

> **and protecting the city**, and when someone neglects his duty in one way, he may not realize it, but he neglected it in all ways.
>
> §§63–64

Since the affairs of the polis were Leocrates'—as much as every other citizen's—business ('depending on him', lit. 'with him', or 'at his side': παρὰ τοῦτον), and since he disregarded it (cf. ὅταν τις παρίδῃ), he would have been personally culpable had anything bad happened to his native polis. The reasoning here is again based on the concept that 'citizenship is responsibility'; and because the 'preservation' (σωτηρία) of the city was at stake, it is expressed through the '*poleis* are people' metaphor (cf. §§6, 41–43, 60–62, 149). The speaker's argument also expounds the idea that 'citizenship is sharing' by more literal means, since according to the orator, everyone has their own *portion* of the state (μοῖρα) to care for at all times (cf. ταύτην ἐφ' ἑνός 'that which is in each person's authority'), once more pointing to each and every individual's role in the communal caring for the state.

6 Citizenship is a Prize (for Merit)

Just before his inventive description of the role of the oath in the Athenian state, the prosecutor pays tribute to the lost glory of Athens of yesterday (§§68–74, 82), followed by ardent poetic praise of its old ways:

> … **ἐγκώμιον** γὰρ νὴ τὴν Ἀθηνᾶν **εἰσι τῆς πόλεως οἱ παλαιοὶ νόμοι καὶ τὰ ἔθη** τῶν ἐξ ἀρχῆς ταῦτα κατασκευασάντων. οἷς ἂν προσέχητε, τὰ δίκαια ποιήσετε, καὶ πᾶσιν ἀνθρώποις σεμνοὶ καὶ ἄξιοι τῆς πόλεως δόξετ' εἶναι.
>
> By Athena, **the ancient laws and values** of the men who originally established them **are a eulogy of the city**. If you pay attention to them, you will act justly and gain a common reputation for being righteous and worthy of the city.
>
> §75, tr. slightly modified

The laws and customs of old, Lycurgus urges, are the city's ornament, or—more specifically—an *enkomion*, a laudatory ode customarily written for victors in sport and war, or a panegyric for a commended person in general. This, again, rests upon the concept that '*poleis* are people' (competing for a eulogy; cf. §83), but also introduces the 'litigation is a sporting competition' metaphor; and in competing for the prize, citizen–dikasts may gain a good reputation by showing

obedience towards the laws. There are thus two levels of sporting competition happening simultaneously: one already won by Athens *in toto* (cf. § 83), and another in which each and every citizen can win his civic reward, proving to be worthy of the city by giving a just verdict in accordance with the customary rules of conduct (cf. § 50).[73] Athenian citizenship, that is being deserving of playing a vital role in such a splendid city, thus becomes a *reward* for proper behaviour in an everlasting *agōn* (cf. on § 88–89 above), and cannot be simply taken for granted.

7 Citizens are Children

Furthermore, at one point in the speech, Lycurgus refers to another of his public prosecutions and compares it to the present case by claiming:

> … Αὐτολύκου γε ὑμεῖς κατεψηφίσασθε, μείναντος μὲν αὐτοῦ ἐν τοῖς κινδύνοις, ἔχοντος δ' αἰτίαν τοὺς υἱεῖς καὶ τὴν γυναῖκα ὑπεκθέσθαι, καὶ ἐτιμωρήσασθε. καίτοι εἰ τὸν τοὺς ἀχρήστους εἰς τὸν πόλεμον ὑπεκθέσθαι αἰτίαν ἔχοντα ἐτιμωρήσασθε, τί δεῖ πάσχειν ὅστις ἀνὴρ ὢν **οὐκ ἀπέδωκε τὰ τροφεῖα τῇ πατρίδι;**
>
> … you yourselves condemned Autolycus for sending his sons and wife abroad, even though he himself remained here to face danger.[74] If you condemned a man who was guilty only of sending abroad people who were unfit for military service, what punishment must be suffered by someone who, despite being a man, **did not repay his fatherland for raising him?**
>
> § 53, tr. slightly modified

The speaker presents here an *a fortiori* argument, common in Athenian forensic oratory, when he points to a smaller offence which resulted in sentencing the wrongdoer and concludes that a more serious crime—incidentally, also prosecuted by him—deserves nothing less (cf., e.g., [Lys.] 6.17, [D.] 59.116–117, Aes. 3.252). What is more peculiar here, however, is that—by saying that the defendant failed to *pay back* his fatherland *for nurture*—he suggests that 'fatherland is a nurturing parent' (cf. Pl. *Cri.* 51c–e, 50d), providing maintenance

73 Cf. § 100 with Hanink (2014) 40–53 on the language of praise in Lycurgus' remarks on Euripides.

74 On Autolycus, see Wissowa (1896) 2602, s.v. Autolykos (5), and Sullivan (2002a) 130–132 on his trial.

(τὰ τροφεῖα) to his children, that is all Athenian citizens (cf. [Lys.] 6.49).[75] And what is particularly curious in this phrasing is that the τροφή ('sustenance') was also the term describing the ephebes' pay in Athens ([Arist.] *Ath. Pol.* 42.3), while according to a later account Athenian ephebes swore to fight to death for their 'nurturer', as Leocrates too calls the 'fatherland' (§§ 21, 47, 85).[76]

In fact, the entire speech plays upon the idea of father-country, in attempt to merge the 'fatherland' (πατρίς), 'father' (πατήρ), and 'ancestral' (or 'patrimonial', πάτριος, πατρῷος) customs, objects, and rites into one blended conceptual space with all these elements dependent one upon another (e.g., §§ 2, 25–27, 48, 95–97, 101–103, 127).[77] Lycurgus thus likens leaving such a personified polis to abandoning one's parents in old age, as if Leocrates actually neglected his responsibility to take care of his elderly parents (cf. § 144), and *ill-treatment of one's parents* (κάκωσις τῶν γονέων) could be prosecuted in Athenian law by εἰσαγγελία, a variant of the procedure under which the current trial was being held.[78] By doing so, the prosecutor aimed to imply that Leocrates' departure constituted yet another crime in Athens (cf. §§ 56, 120–121 et al.), and should thus be punished equally severely, following a straightforward tit-for-tat penal paradigm and a corresponding reinterpretation of the Athenian legal system (cf. §§ 8–9, 65–66, 71, 78, 91, 110, 122–123, 134, 150). His posited code of conduct rested upon a harsher model of social interaction than the one usually advocated by the speakers in Athenian courts,[79] and one more suitable to the Spartan constitution, which he openly praises (§§ 128–129, cf. § 106).

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75 For this notion, along with the Mother Earth metaphor, see A. *Sept.* 14–20 with Parker (1996) 252–253; cf. Christ (2012) 71.

76 Σ 537a Dilts ad D. 19.303: … ὤμνυον ὑπερμαχεῖν ἄχρι θανάτου τῆς θρεψαμένης (used intermittently in active and passive voice in Lycurgus); cf. Steinbock (2011) 297. For the metaphor, see also Lys. 2.70, [Lys.] 6.49, cf. Petrie 1922 (119).

77 On 'conceptual blending', a concurrent and insightful theory in cognitive linguistics that I deliberately leave out of this paper in order to focus on metaphors, see Fauconnier and Turner (2002) and Kövecses (2010) 267–283.

78 Or, in fact, two different procedures of the same name. Cf. n.11 above and Petrie (1922) 119. On *eisangelia* (or *graphē*) *kakōseōs goneōn*, see Rhodes (1981) 629, cf. MacDowell (1978) 92, Hansen (1976) 72 with n. 7; see also Rubinstein (1993) 64–68 on *gērotrophia*; cf. Millett (1991) 129–135 on 'family solidarity'. See also Loomis (2003) 293, 296 on 'mother-beater' and 'father-beater' as insults as grave as 'murderer' or 'shield-thrower' (deserter) in Athens.

79 Cf. Azoulay (2011) 206. I believe arguments such as this are more crucial for understanding Lycurgus' view of the goals of punishing (here: treason punished with an ignoble death) than a linguistic approach to his use of terms such as κολάζειν, advocated by Allen (2000). See also Rubinstein (2000) 212–215 on such rhetoric and the dikasts' actual options in Athenian courts, and Herman (1998) on the 'tit for tat' strategy in game theory and the popular discourse of forgiveness in Athens.

8 Citizenship is a Debt, Citizenship is a Duty

Drawing further on the rule of reciprocity,[80] Lycurgus emphasizes that Leocrates *did not pay his due* (οὐκ ἀπέδωκε) to his polis as its citizen (§ 53, cited above). This expression hinges on the idea that 'citizenship is a debt' which needs to be *repaid* by means of military service or, more generally, standing in defence of the city (cf., e.g., §§ 132–133, 140: as if it was a person calling for help).[81] And since the fatherland is a nurturing *parent* (a *father*, if one follows πατρίς literally),[82] such an argument implies that the 'polis (as a city–state) is a household and (as a society) a family'.[83] This is quite a common metaphor in the extant literary sources, which often draw direct parallels between the larger, communal world of the polis and that of the individual *oikos* ('household').[84]

The 'citizenship is a debt' metaphor is further reiterated throughout the speech; by the end of it, the prosecutor makes an attempt to discourage his fellow citizens from feeling mercy for Leocrates and—in advocating capital punishment—approaches them with a series of rhetorical questions:

> καὶ δεήσεται καὶ ἱκετεύσει ἐλεῆσαι αὐτόν· τίνων; οὐχ οἷς **τὸν αὐτὸν ἔρανον εἰς τὴν σωτηρίαν εἰσενεγκεῖν οὐκ ἐτόλμησε**;
>
> He will plead and beg for pity. Whom is he asking? Surely not those with whom **he did not have the courage to contribute to this very loan for our defence**?
>
> § 143, tr. modified

The speaker's statement—again—rests upon the well-grounded metaphor of civic obligation to contribute to the polis, but this time its wording is more

80 On reciprocity in Greek culture, see essays in Gill et al. (1998), and Christ (2012) 90–93 on Athenian ideology of reciprocity; cf. Christ (2006) 26 with n. 31 and Liddel (2007) 139–143, *passim* on Athens. Cf. Ober (2008) 183–186 on the concept of reciprocity in Lyc. 1.

81 Cf. Christ (2012) 26, 70–72 on civic and military obligations phrased as 'helping the polis' within the bonds of reciprocity; see also an apt observation on p. 98 on βοηθεῖν as a term evoking, etymologically, a cry for help meant to attract the attention of the bystanders.

82 See Strauss (1993) 21–60, Nielsen (2004), Cuchet (2006) 10–21, 166–173, 294–297, Christ (2006) 26, and Liddel (2007) 139–143 on the πατρίς terminology as a reflection of the father–son relationship; cf. n.36 above on Lycurgus' extensive use of the term.

83 See Hansen (1998) 17–34 on different shades of meaning of the term polis in classical Greek; cf. Harris (2013) 21–59 on Athens as a 'state' proper.

84 See Brock (2013) 25–42, cf. Harris (2006) 76 with n. 89.

technical.[85] Lycurgus follows the topical phrasing by contrasting Leocrates' actions with the stance of those who 'gave their due' in battle. He expounds on the idea of shared participation by saying that being an Athenian citizen is a particular kind of contribution towards a *loan* within a small group of friends (ἔρανος), which was taken by each member for the sake of the city's 'salvation' (εἰς τὴν σωτηρίαν) as its immediate goal, with each contribution brought to the common pot. As he will soon argue more forcefully (§ 147), failure to act should thus be treated equally severely as a negative act, for which the defendant ought to be punished and sentenced to death.

By invoking the concept of a *duty to contribute* (by either 'repaying one's due', § 53, cf. §§ 20, 46, or 'contributing to the common good', § 143, cf. §§ 43, 132–133, 139–140), the orator suggests to the dikasts that Leocrates did not repay his civic debts arising from the bonds of reciprocity, a misdeed that turns him into a peculiar kind of *civic debtor*: even stronger an allegation in the face of the earlier accusation against him regarding the city's finances (§ 19), and particularly forceful when coming from a politician personally responsible for the latter. Yet what seems crucial in this metaphor of *owing* the state is that being an actual *state debtor* was not only another crime punishable by Athenian law, but also one which would disenfranchise a citizen from the political community and the privileges it entailed,[86] thus making him not a *citizen* proper (as Lycurgus himself probably argued in a case brought together with Demosthenes against a state debtor Aristogeiton, which they won).[87] The same holds true for other offences alluded to by the speaker, such as mistreating one's parents and desertion.[88] This aspect of his rhetorical appeals makes such claims a much more powerful statement than simply saying that Leocrates failed to become an exemplary citizen. As an *atimos*, he would also be excluded from entering the sacred precincts of all Athenians (see above, with n.65)—a religious dimension of 'having a share in the city' on which Lycurgus himself expounds when recalling divine supervision over civic duties:

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85 See Millett (1991) 154–155 on the topical nature of the *eranos* metaphor, and Liddel (2007) 141–143 on its connotations; see, for example, [D.] 25.21–22 and n.97 below; cf. Christ (2006) 29–30 and (2012) 71–72 on its use for describing the citizens' 'loan', in turn, *given to* the city (by the fulfilment of public or military service). On *eranos* as (1) a friendly lending group in Athens and (2) a type of loan in such a group, see Arnaoutoglou (2003) 70–87 and Harris (2006) 333–354.

86 On *atimia* imposed on state debtors in Athens, see Harrison (1971) 82–83, 172–176, Hansen (1976) 55–90, and MacDowell (1978) 74–75, 164–167.

87 See [D.] 25.21–22. See also n.85 above on the *eranos* metaphor.

88 Cf. Hansen (1976) 72–74.

> ὑμῖν γὰρ ἔστιν ὅρκος, ὃν ὀμνύουσι πάντες οἱ πολῖται, ἐπειδὰν εἰς τὸ ληξιαρχικὸν γραμματεῖον ἐγγραφῶσιν καὶ ἔφηβοι γένωνται, μήτε τὰ ἱερὰ ὅπλα καταισχυνεῖν μήτε τὴν τάξιν λείψειν, ἀμυνεῖν δὲ τῇ πατρίδι καὶ ἀμείνω παραδώσειν. ὃν εἰ μὲν ὀμώμοκε Λεωκράτης, φανερῶς ἐπιώρκηκεν, καὶ οὐ μόνον ὑμᾶς ἠδίκηκεν, ἀλλὰ καὶ εἰς τὸ θεῖον ἠσέβηκεν· εἰ δὲ μὴ ὀμώμοκεν, εὐθὺς δῆλός ἐστι παρασκευασάμενος ⟨ὡς⟩ οὐδὲν ποιήσων τῶν δεόντων, ἀνθ' ὧν δικαίως ἂν αὐτὸν καὶ ὑπὲρ ὑμῶν καὶ ὑπὲρ τῶν θεῶν τιμωρήσαισθε.
>
> You have an oath that all the citizens swear when they are enrolled on the list of citizens and become ephebes: not to dishonour their sacred arms, not to abandon their post, to defend their fatherland and hand it down greater. If Leocrates swore this oath, he has clearly perjured himself and has not only wronged you but also has committed impiety against the divinity. If he did not swear it, he was clearly not prepared to perform any of his duties. For this you would be justified in taking revenge both for your own sake and for the gods.
>
> § 76, tr. slightly modified

This is a revealing passage, for Lycurgus draws attention to the religious aspect of citizenship by saying that *all citizens* during their military training swear the ephebic oath that Leocrates allegedly broke by leaving the city (since his departure was equal to 'abandoning the battle line', a concept introduced earlier that now starts to build up).[89] And because the oath is sworn before the gods (cf. § 79, quoted above, and § 82), the defendant—by not staying in Athens—in Lycurgus' view committed impiety (ἀσέβεια, cf. §§ 94, 129, 147; § 77: ἀνοσιώτερος), that is another serious crime prosecuted under Athenian law.[90]

In such instances, the prosecutor plays upon the concept of 'citizenship as a religious duty', as indeed he exploits religious rhetoric throughout his speech (see, e.g., §§ 26, 59, 79, 97, 129). He does so equally vigorously by invoking the gods in a prayer at the very beginning (§ 1) and by threatening the dikasts with the gods' wrath if they give an 'impious' verdict at the end of his speech (§§ 146–148, cf. § 91–94).[91] In resorting to such arguments, not only did he exploit Athenian religious identity as a prosecutor, but also made use of his

89 Cf. n.55 above on oaths.

90 On the charge of—and trials for—impiety in Athens and possible penalties, see Filonik (2013); cf. Martin (2009) 158. Lycurgus also refers to an unknown law 'concerning piety', (recently?) introduced by the people (§ 146).

91 Cf. Martin (2009) 152–165 on Lycurgus' use of religious argumentation.

religious authority as a member of a renowned priestly clan and a magistrate responsible for recent changes in the financing of ceremonies and cults that were meant to emphasise both the role of religion in the polis and individual citizens' contribution to it.[92] Furthermore, the to-be ephebes, in addition to the gods, called also the frontiers of the fatherland and the fruit of the land as witnesses to their oath (RO 88.16–20), all seen as living beings that could watch their behaviour and give testimony if necessary. Referring to the oath was thus particularly useful for the prosecutor in presenting Leocrates' leaving the very borders of the land as betraying his country, through rhetorical 'tailoring' of the meaning of the commonly recognized concepts or indeed changing their sense.

9 The Rhetoric of Civic Identity

In employing such rhetorical measures, Lycurgus attempted to redefine the boundaries of treason on various planes, and with reference to different posited civic duties, based on conceptual metaphors of citizenship in Athens which highlighted some of its aspects while downplaying others. The pinnacle of this 'civic' rhetoric can be found in the summary part of the speech, where the litany of accusations is further extended; the line of argument there unveils the speaker's attempt to present Leocrates as a model anti-hero of Athenian democracy and link his case to the breach of every single rule which a citizen in Athens should care about; at the same time, the speaker promotes himself as a guardian of all such principles and represents the dikasts as arbiters of the civic demeanour of the litigants, themselves put on trial along with the accused:

> In my opinion, gentlemen, you are casting one vote today to punish all the greatest and most terrible crimes, for you can see Leocrates is guilty of every one of them: treason because he left the city and put it

92 See Parker (1996) 242–255 (p. 251: 'He made use, it seems, of his unique prestige with the jurors in order to turn the courtroom speech into a textbook in civic virtue'); cf. Azoulay (2011) 210: 'L' orateur donnait manifestement une lecture biaisée de l' ordre légal athénien dans le but de redéfinir les obligations du citoyen'. On the priestly family to which Lycurgus belonged, see Taddei (2012) 22–35, Engels (2008) 15–16, cf. pp. 22–25 on his financial activities in Athens as a magistrate. He himself, however, might not have been a priest at all, on which see Blok and Lambert (2009) 112–113. Cf. n.56 above on other reforms of this period.

in the hands of the enemy [τὴν πόλιν ἐγκαταλιπὼν τοῖς πολεμίοις ὑποχείριον ἐποίησε]; subverting the democracy because he did not face danger in defence of freedom [οὐχ ὑπέμεινε τὸν ὑπὲρ τῆς ἐλευθερίας κίνδυνον]; impiety because he is guilty of doing all he could to ravage the sacred precincts and destroy the temples [τοῦ τὰ τεμένη τέμνεσθαι καὶ τοὺς νεὼς κατασκάπτεσθαι]; mistreatment of parents by destroying their tombs and robbing them of their ancestral rites [τὰ μνημεῖα αὐτῶν ἀφανίζων καὶ τῶν νομίμων ἀποστερῶν]; and desertion and avoiding conscription for refusing to report to the generals for duty [οὐ παρασχὼν τὸ σῶμα τάξαι τοῖς στρατηγοῖς]. Who then will vote to acquit him or show sympathy for his deliberate crimes? Is anyone so senseless as to save this man and thereby give away his own safety to men who wish to betray us? Or to pity him and thereby choose to die unpitied at the hands of the enemy? Or be answerable to the vengeance of the gods by doing the traitor of the fatherland a favour? By defending our country, our temples, and our laws, I have conducted this case in a fashion both just and correct, without attacking the rest of this man's life or making irrelevant charges. Each of you must now realize that a vote to acquit Leocrates is a vote to condemn our country to death and slavery. There are two urns placed before you, one for treason, the other for survival, and you are casting your votes either to destroy our country or to keep it safe and prosperous. If you acquit Leocrates, you will vote to betray the city, the temples, and the fleet [προδιδόναι τὴν πόλιν καὶ τὰ ἱερὰ καὶ τὰς ναῦς]; if you put him to death, you will encourage the defence and protection of the country [διαφυλάττειν καὶ σῴζειν τὴν πατρίδα], its revenues, and its prosperity. Imagine then, men of Athens, that the land and the trees are imploring you; the harbours, the ship sheds, and the city walls are asking you;[93] and the temples and the shrines are pleading with you to defend them. Make an example out of Leocrates; remember the charges against him, for pity and tears do not have a stronger claim than the preservation of the laws and the people.

§§147–150, tr. modified and complemented (the sentence 'Or—favour' is missing from the translation used)

93 Cf. Engels (2014) 28: 'The public space of the city of Athens itself with its religious and profane buildings in Lykurgos' view strengthens and preserves Athenian civic identity … Hence in his epilogue Lykurgos names the walls and fortifications of Athens and Attica as visible symbols of Athenian civic pride.'

I have argued in this essay, on the basis of Lycurgus' prosecution speech *Against Leocrates*, that the representation of citizenship and civic duties could be skilfully reframed by Athenian orators for their rhetorical ends, by the deliberate and sophisticated use of conceptual metaphors. In doing so, the speakers played on the normative aspects of Athenian citizenship, but employed their own set of rhetorical tools to focus on whatever they considered important to their own argumentation. Lycurgus almost succeeded in his systematic attempt to redefine the boundaries of the concepts of both treason and citizenship, considering that Leocrates escaped the death penalty only because a tied vote worked in the defendant's favour (Aes. 3.252).[94] This shows the power of such rhetoric, since he was able to persuade several hundred Athenian citizens judging the case to regard Leocrates' departure as a betrayal of what it meant to be a *good citizen* in Athens, even though he had apparently broken no law at that particular time (cf. above, with nn.15–16).

Within this rhetorical strategy, Lycurgus promoted particular public policies, including—yet going beyond—the recent changes in Athenian military training, the *ephebeia* (this 'training in citizenship', as Reinmuth once called it), in the last words of his speech positing the dikasts in the role of hoplites marching to defend the sacred precincts of Athens with their vote.[95] He thus to the very end made efforts to reframe established conceptual metaphors of Athenian political discourse and build on them with new conceptualizations of civic duties that seemed relevant to the present case and the charges he brought. What also emerges out of this analysis is the extent to which such deep-level reframing of accepted notions could influence not only civic identity but in the case of Athens also the boundaries of the law and people's lives, to which the Athenians apparently expressed their objection by introducing further procedural limitations.[96] To put it differently, a good number of Athenian citizens serving as dikasts in this trial were significantly influenced by Lycurgus' rea-

94 See Whitehead (2006) 133 with n. 4 on this surprising tied vote, uncommon at the time when there was normally an odd number of dikasts (cf. Boegehold et al. (1995) 34). For two different interpretations of this passage, see Sullivan (2002b) and Bianchi (2002). The rule about a tie working in favour of the defendant was an old one, surrounded by Athenian foundation myths; see A. *Eum.* 741, 752–753, 795–796 with Loraux (1991) 41–42. Another solution is to assume Aeschines was not being precise and there was simply one more vote for acquittal.

95 As rightly observed by Steinbock (2011) 295, 311 (citing Reinmuth on the 'training').

96 According to Hansen (1975) 29–31, around the year 330 a penalty for not gaining one fifth of the votes in an *eisangelia* was introduced as a measure aimed at preventing frivolous prosecution; cf. MacDowell (1978) 183–186.

soning or otherwise ill-disposed towards the defendant when they decided to condemn him to death, while an equal number felt that this interpretation of the law and their civic identity was not a valid one and should be taken for little more than an abuse of the normative dimension of citizenship and civic duties in Athens.

Since conceptual metaphors exist at a deep level of people's cognitive image of the world, they echo conceptual frames that constitute their basic sense of identity, and may thus be particularly efficient in appeals to the latter. The appeals to the civic ethos constituted a significant factor in Athenian rhetorical practice, and were entangled in a complex framework of metaphorical language and thinking, lying open to discursive exploitation. Admittedly, many issues raised by the speaker would be things associated with citizenship by the average Athenian. What is important in rhetorical analyses of these texts, however, is the way in which such metaphorical conceptualizations operate when creating so-called mappings, that is by highlighting some aspects of conceptual domains that they refer to, while downplaying others. This could mean both exploiting the existing conceptual associations *and* creating new ones, although based on the extant sample of publicly delivered speeches it might be often difficult—and sometimes impossible—to tell which orator first employed a particular metaphor or reframed an otherwise recognized concept.[97]

Not least due to its unique speaker-audience interaction, oratory remains a particularly fruitful source in studying the application—and potential impact—of metaphorical conceptualizations in Greek political discourse. Conceptual metaphors of civic duties could serve as a potent tool in the hands of orators and politicians such as Lycurgus, helping them to influence their audiences and promote desired policies by exploiting the civic ethos presumably shared by Athenians. They appear as a common trait of Athenian political discourse, but at the same time the audiences of these speeches might not have been aware of their impact to the extent to which professional speakers were familiar with it. Demosthenes, in his deliberative speech *On Organization* from the mid-fourth century encompassed this cleverly by saying:

> καὶ νὴ Δί', ὦ ἄνδρες Ἀθηναῖοι, ἕτεροί γε λόγοι παρερρυήκασι πρὸς ὑμᾶς ψευδεῖς, καὶ πολλὰ τὴν πολιτείαν βλάπτοντες, οἷον 'ἐν τοῖς δικαστηρίοις ὑμῖν ἐστιν ἡ σωτηρία,' καὶ 'δεῖ τῇ ψήφῳ τὴν πολιτείαν ὑμᾶς φυλάττειν.'

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97 For example, we first find the ἔρανος metaphor ('citizenship is contributing to a loan among friends') in Demosthenes' *Fourth Philippic* (10.40–41) of 341; cf. Liddel (2007) 141–143, see also Harris (2006) 136. Cf. n.85 above on *eranos*.

> And by Zeus, men of Athens, there are other mendacious claims that have slipped by you and that do much harm to the constitution, such as that 'your salvation lies in the courts' and that 'you must guard the constitution with your vote.'
>
> D. 13.16, tr. TREVETT (2011)

Just as the 'dikasts are guardians of democracy' metaphor constituted a *topos* from Lysias to Dinarchus,[98] similar conceptualizations of civic roles were part of everyday Athenian political discourse, more or less skilfully employed by the orators, and to an unknown degree acknowledged by their audiences. Noticeably, we now have only scattered reflections of such rhetoric, but the glimpses that do survive reveal the crucial role of metaphorical thinking in appeals to shared identity of Athenian citizens, calling for far greater attention in our analyses of Greek political discourse than it has thus far received.

Bibliography

Allen, D.S. 2000. Changing the Authoritative Voice: Lycurgus' *Against Leocrates*. *ClAnt* 19: 5–33.

Ando, C. 2015. *Roman Social Imaginaries: Language and Thought in the Context of Empire*. Toronto, Buffalo and London.

Arnaoutoglou, I. 2003. *Thusias heneka kai sunousias. Private religious associations in Hellenistic Athens*. Athens.

Azoulay, V. 2011. Les métamorphoses du *koinon* athénien: autour du Contre Léocrate de Lycurgue. In *Clisthène et Lycurgue d'Athènes: autour du politique dans la cité classique*, eds. V. Azoulay and P. Ismard, 191–217. Paris.

Balot, R.K. 2004. Free speech, courage, and democratic deliberation. In *Free Speech in Classical Antiquity*, eds. I. Sluiter and R.M. Rosen, 233–260. Leiden.

Balot, R.K. 2006. *Greek political thought*. Malden.

Balot, R.K. 2014. *Courage in the Democratic Polis*. Oxford and New York.

Barcelona, A., ed. 2000. *Metaphor and Metonymy at the Crossroads: A Cognitive Perspective*. Berlin and New York.

Bianchi, E. 2002. Ancora su Eschine, III 252. *Dike* 5: 83–94.

Blok, J.H. 2005. Becoming citizens. Some notes on the semantics of "citizen" in archaic Greece and classical Athens. *Klio* 87: 7–40.

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98 See Lys. 26.10 (a sound claim in a *dokimasia* case in the context of the Thirty), D. 22.57, Aes. 3.4–7; cf. Aes. 1.5, Din. 1.9, [And.] 4.16, Lyc. 1.66. See also §§ 9–10 for the 'judging is teaching (or: giving an example)' metaphor, cf. §§ 4, 15, 27, 46, 67, 102; cf. n.16 above on the argument of precedent and deterrent.

Blok, J.H. 2010. Review of Liddel 2007. *Mnemosyne* 63: 692–695.

Blok, J.H. 2013. Citizenship, the Citizen Body, and its Assemblies. In *A Companion to Ancient Greek Government*, ed. H. Beck, 161–175. Malden.

Blok, J.H. and S.D. Lambert. 2009. The appointment of priests in attic gene. *ZPE* 169: 95–121.

Boegehold, A.L., M. Crosby, M. Lang, D.R. Jordan, and R.F. Townsend. 1995. *The law courts at Athens: sites, buildings, equipment, procedure, and testimonia* (Athenian Agora). Princeton.

Brock, R. 2013. *Greek political imagery from Homer to Aristotle*. London.

Brock, R. 2015. Law and Citizenship in the Greek *Poleis*. In *The Oxford Handbook of Ancient Greek Law*, eds. E.M. Harris and M. Canevaro. Oxford Handbooks Online.

Burke, E.M. 1977. "Contra Leocratem" and "de Corona": Political Collaboration? *Phoenix* 31: 330–340

Cairns, D.L. 2014. Ψυχή, Θυμός, and Metaphor in Homer and Plato. *EPlaton* 11.

Carey, C. 1989. *Lysias: Selected Speeches*. Cambridge.

Carey, C. 2001. *Democracy in classical Athens*.

Carey, C. et al. 2008. Fragments of Hyperides' "Against Diondas" from the Archimedes Palimpsest. *ZPE* 165: 1–19.

Christ, M.R. 2006. *The Bad Citizen in Classical Athens*. Cambridge.

Christ, M.R. 2008. Review of Liddel (2007). *BMCR* 2008.03.44.

Christ, M.R. 2012. *The limits of altruism in democratic Athens*. Cambridge.

Cook, B.L. 2012. Swist-boating in Antiquity: Rhetorical Framing of the Good Citizen in Fourth-Century Athens. *Rhetorica* 30: 219–251.

Crowley, J. 2012. *The psychology of the Athenian hoplite: the culture of combat in classical Athens*. Cambridge.

Cuchet, V.S. 2006. *Libérez la patrie!: patriotisme et politique en Grèce ancienne*. Paris.

Davies, J.K. 2004. The concept of the "citizen". In *Poleis e politeiai: esperienze politiche, tradizioni letterarie, progetti costituzionali: atti del convegno internazionale di storia greca, Torino, 29–31 maggio 2002*, ed. S. Cataldi, 19–30. Alessandria.

Dover, K.J. 1968. *Lysias and the corpus Lysiacum*. Berkeley and Los Angeles.

Edwards, M.J. 1994. *The Attic Orators*. London.

Engels, J. 2008. *Lykurg: Rede gegen Leokrates*. Darmstadt.

Engels, J. 2014. Lykourgos' speech *Against Leokrates*: creating civic identity and educating Athenian citizens. In *Attitudes towards the Past in Antiquity. Creating Identities: Proceedings of an International Conference held at Stockholm University, 15–17 May 2009*, eds. B. Alroth and C. Scheffer, 21–31. Stockholm.

Epstein, S. 2011. Direct Democracy and Minority Rule: The Athenian Assembly in its Relation to the Demos. In *Stability and crisis in the Athenian democracy*, ed. G. Herman, 87–102. Stuttgart.

Faraguna, M. 2011. Lykourgan Athens? In *Clisthène et Lycurgue d'Athènes: autour du politique dans la cité classique*, eds. V. Azoulay and P. Ismard, 67–86. Paris.

Fauconnier, G. and M. Turner. 2002. *The way we think: Conceptual blending and the mind's hidden complexities*. New York.

Feyel, C. 2009. *ΔΟΚΙΜΑΣΙΑ: la place et le rôle de l'examen préliminaire dans les institutions des cités grecques* Études anciennes 36. Nancy.

Filonik, J. 2013. Athenian impiety trials: a reappraisal. *Dike* 16: 11–96.

Filonik, J. 2015. Speaking of freedom: The notion and dynamics of freedom in Athenian oratory and Athenian democracy. diss. University of Warsaw.

Friend, J.L. 2009. *The Athenian ephebeia in the Lycurgan period: 334/3–322/1 BC*. The University of Texas at Austin.

Gagliardi, L. 2010. Athenian *dokimasiai*. A Response to Stephen Todd. In Thür (2010), 99–108. Wien.

Gawantka, W. 1975. *Isopolitie: ein Beitrag zur Geschichte der zwischenstaatlichen Beziehungen in der griechischen Antike*. München.

Gentener, D. and B. Bowdle. 2008. Metaphor as structure-mapping. In *The Cambridge Handbook of Metaphor and Thought*, eds. R.W. Gibbs, 109–128. Cambridge and New York.

Gill, C., N. Postlethwaite, and R. Seaford. 1998. *Reciprocity in ancient Greece*. Oxford and New York.

Gilliland, A.M. 2007. *Deified abstractions in Lycurgan Athens: rebuilding civic identity*. Diss., Birkbeck College, University of London.

Griffith-Williams, B. 2013. *A commentary on selected speeches of Isaios*. Leiden and Boston.

Hanink, J. 2014. *Lycurgan Athens and the Making of Classical Tragedy*. Cambridge.

Hansen, M.H. 1975. *Eisangelia: The sovereignty of the People's Court in Athens in the fourth century BC and the impeachment of generals and politicians*. Odensee.

Hansen, M.H. 1976. *Apagoge, endeixis and ephegesis against kakourgoi, atimoi and pheugontes: a study in the Athenian administration of justice in the fourth century BC*. Odensee.

Hansen, M.H. 1980. Eisangelia in Athens: a reply. *JHS* 100: 89–95

Hansen, M.H. 1998. *Polis and city-state: an ancient concept and its modern equivalent*. Copenhagen.

Hansen, M.H. 2010. The concepts of demos, ekklesia, and dikasterion in classical Athens. *GRBS* 50: 499–536.

Hansen, M.H. 2015. *Political Obligation in Ancient Greece and in the Modern World*. Copenhagen.

Harris, E.M. 1995. *Aeschines and Athenian politics*. London and New York.

Harris, E.M. 2000. Open texture in Athenian law. *Dike* 3: 27–79.

Harris, E.M. 2001. Lycurgus. In *Dinarchus, Hyperides, and Lycurgus*, eds. I. Worthington, C. Cooper and E.M. Harris, 153–218. Austin.

Harris, E.M. 2006. *Democracy and the rule of law in classical Athens: essays on law, society, and politics*. Cambridge.

Harris, E.M. 2013. *The rule of law in action in democratic Athens*. Oxford and New York.

Harris, E.M. 2015. Toward a Typology of Greek Regulations about Religious Matters: A Legal Approach. *Kernos* 28: 53–83.

Harris, E.M. 2016. The Flawed Origins of Ancient Greek Democracy. In *Nous, Polis, Nomos. Festschrift Francisco L. Lisi*, eds. A. Havlíček, C. Horn and J. Jinek, 43–55. Sankt Augustin.

Harrison, A.R.W. 1968. *The law of Athens: The family and property*. Oxford.

Harrison, A.R.W. 1971. *The law of Athens: Procedure*. Oxford.

Herman, G. 1998. Reciprocity, Altruism, and the Prisoner's Dilemma: The Special Case of Classical Athens. In *Reciprocity in ancient Greece*, eds. C. Gill, N. Postlethwaite and R. Seaford, 199–225. Oxford and New York.

Herman, G. 2010. The Best Few and The Bad Many: Decision Making in the Athenian Democracy. In *Attika: Archäologie einer 'zentralen' Kulturlandschaft. Akten der internationalen Tagung vom 18.–20. Mai 2007 in Marburg*, eds. H. Lohmann and T. Mattern, 231–244. Wiesbaden.

Hesk, J. 2000. *Deception and democracy in classical Athens*. Cambridge.

Horváth, L. 2014. *Der* Neue Hypereides*: Textedition, Studien und Erläuterungen*. Berlin, München and Boston.

Humphreys, S.C. 1985. Lycurgus of Butadae: an Athenian aristocrat. In *The Craft of the Ancient Historian: Essays in Honor of Chester G. Starr*, eds. J.W. Eadie and J. Ober, 199–252. Lanham, New York and London.

Kamen, D. 2013. *Status in classical Athens*. Princeton.

Kövecses, Z. 2010. *Metaphor: A Practical Introduction*. Second edition. Oxford and New York.

Lakoff, G. and M. Johnson. 1980. *Metaphors we live by*. Chicago and London.

Lakoff, G. and M. Turner. 1989. *More than Cool Reason: A Field Guide to Poetic Metaphor*. Chicago and London.

Lambert, S.D. 2010. Connecting with the Past in Lykourgan Athens: An Epigraphical Perspective. In *Intentional history: spinning time in ancient Greece*, eds. L. Foxhall, H.-J. Gehrke and N. Luraghi, 225–238. Stuttgart.

Lambert, S.D. 2011. Some political shifts in Lykourgan Athens. In *Clisthène et Lycurgue d'Athènes: autour du politique dans la cité classique*, eds. V. Azoulay and P. Ismard, 175–190. Paris.

Liddel, P. 2007. *Civic obligation and individual liberty in ancient Athens*. Oxford.

Liddell, H.G., R. Scott, and H.S. Jones. 1996. *A Greek-English lexicon: with a revised supplement 1996*. Oxford.

Loomis, W.T. 2003. Athenian Slander: A Common Law Perspective. In *Gestures: Essays in Ancient History, Literature, and Philosophy Presented to Alan L. Boegehold: On the Occasion of His Retirement and His Seventy-Fifth Birthday*, eds. G.W. Bakewell, J.P. Sickinger and A.L. Boegehold, 287–300. Oxford.

Loraux, N. 1991. Reflections of the Greek city on unity and division. In *City States in Classical Antiquity and Medieval Italy*, eds. A. Molho, K.A. Raaflaub and J. Emlen, 33–51. Ann Arbor.

MacDowell, D.M. 1978. *The law in classical Athens*. London.

MacDowell, D.M. 2009. *Demosthenes the orator*. Oxford.

Manville, P.B. 1994. Toward a new paradigm of Athenian citizenship. In *Athenian identity and civic ideology*, eds. A.L. Boegehold and A.C. Scafuro, 21–33. Baltimore and London.

Martin, G. 2009. *Divine talk: religious argumentation in Demosthenes*. Oxford.

Mikalson, J.D. 1983. *Athenian popular religion*. Chapel Hill and London.

Mikalson, J.D. 2010. *Ancient Greek Religion*. Second edition. Chichester.

Millett, P. 1991. *Lending and borrowing in ancient Athens*. Cambridge.

Mitchel, F.W. 1970. *Lykourgan Athens: 338–322*. Cincinnati.

Nielsen, T.H. 2004. The concept of *patris* in archaic and classical sources. In *Once again: Studies in the ancient Greek polis*, ed. T.H. Nielsen, 49–76. Stuttgart.

Ober, J. 2008. *Democracy and knowledge: Innovation and learning in classical Athens*. Princeton.

Ostwald, M. 1996. Shares and Rights: "Citizenship" Greek Style and American Style. In *Demokratia: a conversation on democracies, ancient and modern*, eds. J. Ober and C.W. Hedrick, 49–61. Princeton.

Ostwald, M. 2009. *Language and history in ancient Greek culture*. Philadelphia.

Panther, K.-U. and L.-L. Thornburg. 2007. Metonymy. In *The Oxford handbook of cognitive linguistics*, eds. D. Geeraerts and H. Cuyckens, 236–263. London and New York.

Parker, R. 1996. *Athenian religion: A history*. Oxford.

Parker, R. 2005. *Polytheism and society at Athens*. Oxford and New York.

Patterson, C. 2000. The hospitality of Athenian justice: The Metic in court. In *Law and social status in classical Athens*, eds. V. Hunter and J. Edmondson, 93–112. Oxford and New York.

Petrie, A. 1922. *Lycurgus: The Speech against Leocrates*. London.

Rhodes, P.J. 1979. ΕΙΣΑΓΓΕΛΙΑ in Athens. *JHS* 99: 103–114.

Rhodes, P.J. 1981. *A commentary on the Aristotelian Athenaion Politeia*. Oxford.

Rhodes, P.J. 2009. Civic Ideology and Citizenship. In *A Companion To Greek And Roman Political Thought*, ed. R.K. Balot, 57–69. Chichester.

Rhodes, P.J. and R. Osborne. 2003. *Greek historical inscriptions, 404–323 BC*. Oxford and New York.

Ridley, R.T. 1979. The hoplite as citizen: Athenian military institutions in their social context. *AC* 48: 508–548.

Roisman, J. 2004. Speaker-audience interaction in Athens: A power struggle. In *Free Speech in Classical Antiquity*, eds. I. Sluiter and R.M. Rosen (eds), 261–278. Leiden.

Rubinstein, L. 1993. *Adoption in IV. Century Athens*. Copenhagen.

Rubinstein, L. 1998. The Athenian political perception of the *idiotes*. In *Kosmos: essays in order, conflict and community in classical Athens*, eds. P. Cartledge, P. Millett and S. von Reden, 125–143. Cambridge.

Rubinstein, L. 2000. *Litigation and cooperation: supporting speakers in the courts of classical Athens*. Stuttgart.

Rubinstein, L. 2003. Volunteer Prosecutors in the Greek World. *Dike* 6: 87–113.

Rubinstein, L. 2007. Arguments from precedent in Attic oratory. In *Oxford readings in the Attic orators*, ed. E. Carawan, 359–371. Oxford.

Sansò, A. 2014. Cognitive Linguistics and Greek. In *Encyclopedia of ancient Greek language and linguistics* 1, eds. G.K. Giannakis, V. Bubenik, E. Crespo, C. Golston, A. Lianeri, S. Luraghi and S. Matthaios (eds). Vol. 1, 308–313. Leiden.

Scafuro, A.C. 1994. Introduction. In *Athenian identity and civic ideology*, eds. A.L. Boegehold and A.C. Scafuro, 1–20. Baltimore and London.

Sinclair, R.K. 1988. *Democracy and participation in Athens*. Cambridge.

Steinbock, B. 2011. A Lesson in Patriotism: Lycurgus' Against Leocrates, the Ideology of the Ephebeia, and Athenian Social Memory. *ClAnt* 30: 279–317.

Strauss, B. 1993. *Fathers and sons in Athens: ideology and society in the era of the Peloponnesian War*. London.

Sullivan, J. 2002a. An historical commentary on Lykourgos Against Leokrates. University of Leeds.

Sullivan, J. 2002b. "Second" Thoughts on Aiskhines 3.252. *GRBS* 49: 1–7

Taddei, A. 2012. *Licurgo: Contro Leocrate*. Milano.

Thür, G. ed. 2010. *Symposion 2009: Vorträge zur griechischen und hellenistischen Rechtsgeschichte* (*Seggau, 25.–30. August 2009*). Wien.

Todd, S.C. 1993. *The shape of Athenian law*. Oxford.

Todd, S.C. 2000. *Lysias*. Austin.

Todd, S.C. 2010. The Athenian Procedure(s) of *dokimasia*. In Thür (2010), 73–98. Wien.

Trevett, J. 2011. *Demosthenes, Speeches 1–17*. Austin.

Vlassopoulos, K. 2007. Free spaces: identity, experience and democracy in classical Athens, *CQ* 57: 33–52.

Wees, van, H. 2004. *Greek warfare: myths and realities*. London.

Whitehead, D. 2006. Absentee Athenians: Lysias "Against Philon" and Lycurgus "Against Leocrates". *MH* 63: 132–151.

Wijma, S.M. 2014. *Embracing the Immigrant: The Participation of Metics in Athenian Polis Religion (5th–4th century BC)*. Stuttgart.

Wissowa, G. ed. 1896. *Paulys Real-Encyclopädie der classischen Altertumswissenschaft*. Vol. 4. Stuttgart.

Wohl, V. 2009. Rhetoric of the Athenian citizen. In *The Cambridge companion to ancient rhetoric*, ed. E. Gunderson, 162–177. Cambridge.

Yunis, H. 1996. *Taming democracy: Models of political rhetoric in classical Athens*. Ithaca and London.

CHAPTER 10

Alteram loci patriam, alteram iuris: "Double Fatherlands" and the Role of Italy in Cicero's Political Discourse

Filippo Carlà-Uhink

1 We All Have Two Fatherlands—No, Wait: Not All

At the beginning of the second book of Cicero's *De legibus*, which is dedicated to natural law, Cicero the literary character is presented in a fictional dialogue with his brother Quintus and his friend Atticus. This literary persona makes several statements that have been referenced many times in scholarship, though generally no reference is made to their context. The three figures are gathered, in the literary fiction, at Cicero's estate in Arpinum; when they reach an island in the river Fibrenus they resume their conversation.[1] Marcus explicitly states that this is one of his favourite spots to relax, think and write. While Atticus agrees that it is a very beautiful place, Cicero insists that the setting holds an additional, personal value for himself, since it is his fatherland, his *patria*.[2] In so doing, it is significant that Cicero adopts a vocabulary whose language is loaded and recalls not only the semantic sphere of love, but also underscores his geopiety and the strong, affective component of such a belonging.[3]

The character of Atticus cannot deny that he is now even fonder of the place, since it is his friend's cradle, but he also cannot deny that he is baffled, since:

> *Atticus:* [...] what do you really mean by the statement you made a while ago, that this place, by which I understand you refer to Arpinum, is your own fatherland? Have you then two fatherlands? Or is our common fatherland the only one? Perhaps you think that the wise Cato's fatherland was not Rome, but Tusculum?
>
> *Marcus:* Surely I think that he and all natives of Italian towns have two fatherlands, one by nature and the other by citizenship. Cato, for

1 Cic. *Leg*. 2.1.1. See Dyck (2004) 245–247.

2 Cic. *Leg*. 2.2.3.

3 Spagnuolo Vigorita (1996) 15–16; Fletcher (2014) 6–7.

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> example, though born in Tusculum, received citizenship in Rome, and so, as he was a Tusculan by birth and a Roman by citizenship, had one fatherland which was the place of his birth, and another by law; just as the people of your beloved Attica, before Theseus commanded them all to leave the country and move into the city (the astu, as it is called), were at the same time citizens of their own towns and of Attica, so we consider both the place where we were born our fatherland, and also the city in which we have been adopted. But that fatherland must stand first in our affection in which the name of republic signifies the common citizenship of all of us. For her it is our duty to die, to her to give ourselves entirely, to place on her altar, and, as it were, to dedicate to her service, all that we possess. But the fatherland which was our parent is not much less dear to us than the one which adopted us. Thus I shall never deny that my fatherland is here, though my other fatherland is greater and includes this one within it; [and in the same way every native of an Italian town, in my opinion,] has [two] citizenships but thinks of them as one citizenship.[4]

The historical Atticus was born in Rome into the gens *Pomponia*, which surely resided in the city from at least the 3rd century BC; therefore he could appear in the dialogue as someone who might have never thought about what it meant to come from an Italic centre. He agrees with Cicero and the discussion proceeds to the topic of the character and nature of law. The contrast between Cicero the Arpinas and Atticus the Roman on this point is significant, so too is the insistence that what Cicero says applies only to the inhabitants of the *municipia*. In the translation above this is rendered as "Italian towns", since the *municipia* in this phase of Roman history existed only in Italy. The historical and cultural background of this passage makes clear that the view was shaped by the Social War,[5] an event whose importance as a watershed in Roman history finally has been acknowledged by many scholars.[6]

Indeed, people from the Urbs would not have faced such problems of affiliation. The inhabitants of the colonies might find themselves in a similar position, but the status of the colonies, with their Roman (or, until the Social War, Latin) citizenship, meant that they had never become autonomous centres able to develop, from Cicero's perspective, a strong local identity. In this sense, and

4 Cic. *Leg*. 2.2.5; transl. C.W. Keyes.

5 Sherwin-White (1973) 154–155; Thomas (1996) 9–10. See also Capogrossi Colognesi (2000) 182–184.

6 E.g. Barchiesi (2008); Dench (2013) 126–127.

in this sense only, the "local fatherland" is connected to the earlier existence of a local citizenship. Surely Cicero is in no way questioning the feeling of belonging that those who do not have Roman citizenship might have, as most inhabitants of the provinces; rather, Cicero simply wants to define his very personal "tension" between Roman and Arpinas identities, which he claims had been, and still was, felt by anyone in his same position.

Nonetheless, it seems very hard to feel the need to stretch this "tension" to a really soul-breaking contradiction, "avec un embarras évident et une tentative désespérée pour justifier l'existence de ces deux patries", or even to "une position schizophrénique!", recorded at a particular moment in which the local elites were always more involved in the Roman political game and would, in the end, be supplanted by it, through the birth of the *una patria*.[7] If this is not the desperate cry of a member of the local elite who is losing his local affiliation, that is Cicero's "essential dilemma",[8] it would be a mistake also to over-interpret this passage in the opposite way, that is as a sign of a "top-down" political process that began in Rome after the Social War. Through this process the centre of power should have constructed and fostered "double loyalties" as a mechanism which allowed the Roman elite in the end to keep the local, Italic elites at a distance.[9]

Here Cicero does not speak for the community of the Roman citizens, but for Cicero himself. He does so in two ways, first as an author and then as a character in the dialogue. Most of all, though, Cicero is not providing a complete overview of the identity affiliations and self-description possibilities recognized for a Roman of his times, as the definition of "schizophrenia" would lead us to believe. Cicero is not describing what social geographers consider the two necessary territorial contexts when living in modern nations, State and locality,[10] nor is he claiming that these two fatherlands exhaust the entire spectrum of his, or his peers', segmentary identity. While it is true that between Rome and the single towns there existed few administrative instances, such as the electoral tribes,[11] which did not develop a proper identity, it is Cicero

7 Cébeillac Gervasoni (2008) 55–56.

8 Lomas (2004) 97.

9 So Dyson (1992) 64–65.

10 Paasi (1996) 42.

11 Galsterer (1994) 307–309. Nicolet (1991) 74–75, in particular, refers to the electoral tribes as "intermediate instance" to demonstrate that Cicero's presentation of the two *patriae* is "limited", according to his broader idea, that Italy "disappeared" as a political argument between the Social War and the Augustan age. It is one of the aims of this paper to prove this wrong.

himself who, in the later work *De officiis*, highlights the many further possible affiliations that he, or any of his contemporaries, could develop:

> Then, too, there are a great many degrees of closeness or remoteness in human society. To proceed beyond the universal bond of our common humanity, there is the closer one of belonging to the same people, tribe, and tongue, by which men are very closely bound together; it is a still closer relation to be citizens of the same city-state; for fellow citizens have much in common—forum, temples, colonnades, streets, statutes, laws, courts, rights of suffrage, to say nothing of social and friendly circles and diverse business relations with many.[12]

Cicero does not claim in either of the two works that such a "classification" exhausts the list of possible affiliations, as I will highlight at many points; additionally, while the model proposed in the *De officiis* in 44 BC appears more abstract and general, *De legibus* is explicitly describing only Italy and Italy as it existed after the Social War; although this point is critical, it has not been stressed enough in scholarship until now.

Indeed, in order to attain a better understanding of the passage from *De legibus*, it is necessary to contextualize it with consideration for the frame in which it was written. The *Laws*, composed by Cicero on the Platonic model as a pendant to his *De re publica*, were presumably started around 53 BC. Cicero worked at the text most probably until 51 BC, when he left for his province of Cilicia, but never completed or published it.[13] The political context from which *De legibus* originates is in any case the one characterized by the death of Clodius (mentioned in the work),[14] the sole consulship of Pompey, the fears for the increasing tensions between Caesar and Pompey, who were not yet embroiled in civil war,[15] not by the confrontation with tyranny, a theme that would be dealt with in *De officiis*.

The background against which this assertion must be understood is therefore the identity crisis that characterized the central part of the 1st century BC in the aftermath of the Social War. It was at this stage that the greatest enfran-

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12 Cic. *Off.* 1.53; transl. W. Miller. See also Cic. *Off.* 3.17.69. See Behrends (2002) 23–25; Hammer (2014) 87–88.

13 On the dating of the text, see, among many others, Lepore (1954) 274–292; Dyck (2004) 5–7.

14 Cic. *Leg.* 2.42.

15 See Wiseman (2009) 191–192, for a convincing explanation of the fact that the senatorial elite thought until the last moment that the Civil War would be avoided.

chisement of Roman history until the *Constitutio Antoniniana* took place. For, in that moment "all Italians were Romans, but not all Romans were Italians".[16] Since Arpinum had already received the Roman citizenship *optimo iure* in 188 BC Cicero was no new citizen;[17] nevertheless he clearly felt a deep need to reformulate the criteria for defining a Roman-Italic identity, and he believed strongly in the political necessity of creating a pan-Italic elite. Nonetheless, as Ando correctly underlined, "the Romans regarded the city as the pre-eminent paradigm of the political collectivity; it was, therefore, not obvious what sort of entity a united Italy would be".[18] Cicero's theory of the double fatherland was a way of facing, and solving, this problem,[19] and integrates, in this sense, the "anxiety about the nature of Roman identity" which Steel has rightly identified in Cicero's citizenship and corruption speeches.[20]

When Cicero tried to construct the model of the good statesman in the *pro Sestio* (56 BC) and in *De re publica* (54–51 BC), he was working on possible paradigms for rescuing and improving the State; he does the same in *De legibus*, which also offers a model of the good citizen. Given the topic and the nature of the dialogue, the philosophical undertones cannot be missed. Cicero implicitly refers here to, and twists for his own purposes, the Stoic idea of "double citizenship", represented by the combination of one's individual citizenship and the common belonging to the human race; the first was regulated by civic law, the second by natural law, as is clearly stated later in Seneca in a passage whose similarity to the Ciceronian cannot be exaggerated:[21]

> Let us grasp the idea that there are two commonwealths—the one, a vast and truly common state, which embraces alike gods and men, in which we look neither to this corner of the earth nor to that, but measure the bonds of our citizenship by the path of the sun; the other, the one to which we have been assigned by the accident of birth. This will be the commonwealth of the Athenians or of the Carthaginians, or of any other city that belongs, not to all, but to some particular race of men. Some yield service to both commonwealths at the same time—to the greater and to the lesser—some only to the lesser, some only to the greater.

16 Ando (2002) 123.
17 Liv. 38.36.7.
18 Ando (2002) 123.
19 Ando (2002) 133–134.
20 Steel (2001) 8.
21 Sen. *Ot.* 4.1. Transl. J.W. Basore. See Schofield (1991) 93–94.

According to this aspect of Stoic philosophy, human communities on earth might not be considered real cities; rather the only real city is the sky, *ouranos*,[22] where common law reigns.[23] Better, as it has been recently demonstrated, from its origins Stoicism conceived of the entire *cosmos* as being "*the only city*", and one conceived as "a city that is real rather than ideal", even if "their notion of the city is still *normative*".[24] According to Cicero the good Roman citizen surely does not go so far as the Stoics. While Cicero still acknowledges the importance, and even the affective ties, which bind him to his "small" fatherland (where he eventually can exert euergetic activities and also take over local functions),[25] he also appears to derive some of his characteristics from this Stoic concept.

The most relevant of these features is the sense of common belonging to Rome and its *imperium*, which takes the place of the Stoic cosmopolitism.[26] After an evolution, already visible in the 2nd century BCE, "when Roman rule was increasingly coming under attack from Greek intellectuals, Stoics emerged not as the opponents of empire, but as its defenders".[27] More precisely, in Cicero, the idea that Rome has a universal vocation, in both space and time, makes its empire also "universal"[28]—Cicero is even the first known author to have developed the idea of Roman *aeternitas* in a systematic and recognizable

22 *SVF* III, n. 327, p. 80.

23 *SVF* I, n. 262. On this controversial passage, see Vogt (2008) 86–89.

24 Vogt (2008) 65–66 (italics in the original). Cicero refers to the Stoic theory of the cosmic city also in *De natura deorum*: see Schofield (1991) 65–67.

25 It is important to underline that Stoicism, in general, was compatible with an affection for the "small fatherland", and it has also been recognized that a Stoic influence justified and supported euergetic activity: see Moretti (1977); Campanile (forthcoming).

26 Sellars (2007) 1–2. The impact of Stoicism on Cicero's political thought, as well as his original contribution and distance from the purely Stoic political philosophy, has been underlined many times in scholarship, see e.g. Gabba (1979) 118–122; Wood (1988) 70–72; Erskine (1990) 196–197; Schofield (1991) 65–67; Ferrary (1995) 66–70; Hammer (2014) 35–39. At the same time, Cicero criticized explicitly Stoic political philosophy as too abstract (*Leg*. 3.14), but his re-interpretation in reference to Rome clearly solves this problem. This is independent of Cicero's adoption of a form of Stoic cosmopolitanism in the period spent away from public affairs, as revealed by *Tusc*. 5.108, on which see Hammer (2014) 87 (see also Lact., *DI* 5.8.10, a fragment probably from a lacuna in the first book of *De legibus*). See also Cic. *Off*. 1.6, where he claims that he will follow here the Stoics not as a translator but, as it has always been his habit, personally adapting and changing their reflections.

27 Erskine (1990) 181.

28 E.g. Cic. *Arch*. 23. In *De legibus*, significantly, Cicero and Atticus discuss about giving laws to "all the civil and stable populations" (*omnibus bonis firmisque populis leges damus*, 2.35), but starting from Roman law.

way.[29] In fact, he makes the Roman *imperium* (or *patrocinium*, as Cicero more positively called it)[30] not into an *Ersatz* of the Stoic "sky", but rather into its historical fulfilment.[31] For Cicero Roman law is the natural law.[32]

Just as in the Stoic universal city in which, following Vogt's interpretation, all human beings reside, but only the sages are full citizens,[33] in the universal Roman *imperium* the entire human population is included prospectively, but only the full Roman citizens—and, for Cicero, only the good citizens[34]—have the right and the power to administer political life. After the Social War this included the inhabitants of Italy, who became equated with the philosophical sages of Zeno and Chrysippus. Such full citizens release those laws, which, according to Cicero's understanding, probably following Panaetius, are "a prescriptive code for the masses".[35]

As in Stoic philosophy, such a double system implies the idea that the human city must simultaneously protect and defend its own identity and perceive itself as a part and parcel of the universal collective and therefore practice hospitality and be open to other human beings. In this case it is also clear that Cicero translated this Stoic concept in Roman terms when he insists on the practices of *hospitium* and the creation of binding ties between members of different communities within the Roman context which represents his "universe".[36] This is not inconsistent with the adoption of the other Roman "adaptation" of the

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29 Balbuza (2014) 49–50.

30 Cic. *Off.* 2.27—it is necessary to underline that Cicero describes here the Roman Empire "as it was" and "as it should be", in the context of a very pessimistic comparison with the present time: *itaque illud patrocinium orbis terrae verius quam imperium poterat nominari. Sensim hanc consuetudinem et disciplinam iam antea minuebamus, post vero Sullae victoriam penitus amisimus; desitum est enim videri quicquam in socios iniquum, cum exstitisset in cives tanta crudelitas*. See Gabba (1979) 133–135; Erskine (1990) 182.

31 See Hammer (2014) 88–92.

32 See Cic. *Leg.* 2.23. Costanza (1955) 154–158; Gabba (1979) 134; Erskine (1990) 193–194, attributing the first formulation of the idea that "the rule of the best (i.e. Rome) over the weaker (i.e. Rome's subjects) is both natural and advantageous" to Panaetius. See also Hammer (2014) 42–43.

33 Vogt (2008) 76–77. See also Schofield (1991) 77–82.

34 Ferrary (1995) 70. Cic. *Rep.* 1.19 has Laelius refer to the cosmopolitan theory. Cic. *Rep.* 1.2 and 1.11 also highlights the moral superiority of those who engage in politics when compared to the "philosophical sages" only engaging in theoretical reflection. Cic. *Rep.* 3.7 explicitly parallels the philosophical sages to those who translated into practice the discoveries and the precepts of the sages.

35 Sellars (2007) 20–24.

36 See Behrends (2002) 26–28.

same Stoic motif in the *De officiis*. There Cicero proposes the existence of three different levels of citizenship: the entire world, the *gens* (ethnical community), and the single city. This corresponds to a re-interpretation of the Stoic idea of the *oikeiosis*, familiarity, which Hierocles explained "as involving concentric circles of relative closeness around each person's soul".[37] This justifies the formulation of an ethical stance, according to which, "we positively ought to prefer the near and dear, giving material aid to those outside our borders only when that can be done without any sacrifice to ourselves".[38] Once again this claim legitimizes and actually fosters direct engagement with one's "local fatherland", e.g. in euergetic form. Therefore it seems that Cicero, although starting from Stoic cosmopolitanism, somehow elaborated a deeply anti-cosmopolitan system,[39] even if universal expansion of the Roman *imperium* might have brought this contradiction to be at least partially reabsorbed.

2 The Importance of Italy

Going back to the model proposed in *De legibus*, Cicero presents the ideal Roman citizen, his paradigm for the good citizen. He is someone who can exercise his political rights and contribute actively to the life of the *res publica*. In this sense, he is an Italian; this is not only because the detainers of Roman citizenship in the provinces were still too few, too far away, and probably mostly freedmen at that time, but also because this paradigm fits with the political slogans that Cicero developed in the years preceding *De legibus*. What makes a good citizen, Cicero insisted in the *pro Sestio*, is not that he is born into an aristocratic family, but that he contributes on the basis of his own merit; most of all, good citizens must be sought after across the whole of Italy, for, Cicero suggests, it is precisely these virtuous local elites that constituted the real bulk of Roman strength. Cicero had been developing this idea for a long time, at least as early as 63 BC and the *pro Sulla*.[40]

In this speech, which was written for a trial probably held in July 62 BC, it is possible to see the first steps through which Cicero adapted the Stoic motif that became the model for the "double fatherland". Here Cicero admits that his

37 Vogt (2008) 103, and more generally 99–110. See also Schofield (2008) 761–763.

38 Nussbaum (2004) 216.

39 As highlighted by Nussbaum (2004) 222–223, for Cicero "national borders" are irrelevant when the duties of justice are concerned, but extremely relevant in connection with the duties of material aid.

40 Lepore (1954) 117; Gabba (1979) 124.

character is moulded by a double agency, composed by nature and fatherland. This position, which is consistent with Stoic universalism, reveals that such ideas were well-known to him and present both in his mind and in the mind of his listeners and readers.[41] In addition Cicero defends himself against an accusation of tyranny raised by Manlius Torquatus; this was formulated so as to present Cicero as the third "foreign tyrant" after Tarquinius Superbus and Numa Pompilius. According to Cicero, Torquatus claimed that coming from a *municipium* meant that you were a foreigner.[42] Although Cicero's reply highlights the absurdity of such a position, which was in no sense true, the passage proves extremely relevant; it suggests that even in 62 a Roman from the Urbs could still imagine gaining support among jurors and the wider public by lamenting the consequences of the Social War. According to Plutarch, Crassus used the same argument against Cicero when he observed that none of Cicero's family had lived in Rome for more than sixty years. After regretting such observation and wondering how he could formulate such a thought, Cicero answered, according to Plutarch, that Crassus was aware of the fact that many Romans thought it.[43]

Recall that, according to Sallust, Catiline's reaction to Cicero's accusations in the *First Catilinarian Speech* was to ask the Senate "not to believe rashly anything concerning him: he was sprung from such a family, he said, and had so ordered his life from youth up, that he had nothing but the best prospects, they must not suppose that he, a patrician, who like his forefathers had rendered a great many good services to the commons of Rome, had any need for the overthrow of the government, while its saviour was Marcus Tullius, a resident alien in the city of Rome (*inquilinus civis urbis Romae*)".[44]

Recent scholarship has demonstrated that the Social War represented a much greater, and much more relevant, trauma for Rome than was thought previously, but the full extent of the war and its aftermath remain underappreciated. In particular it required a complete reshaping and renegotiation of

41 Cic. *Sull.* 8: *Me natura misericordem, patria severum, crudelem nec patria nec natura esse voluit.*

42 Cic. *Sull.* 22: *At hic etiam, id quod tibi necesse minime fuit, facetus esse voluisti, cum Tarquinium et Numam et me tertium peregrinum regem esse dixisti. Mitto iam de rege quaerere; illud quaero peregrinum cur me esse dixeris. Nam si ita sum, non tam est admirandum regem esse me, quoniam, ut tu ais, duo iam peregrini reges Romae fuerunt, quam consulem Romae fuisse peregrinum. "Hoc dico" inquit "te esse ex municipio".*

43 Plut. *Cic.* 25.3.

44 Sall. *Cat.* 31.7; transl. J.C. Rolfe. See also Cic. *Att.* 1.16.10 (61 BC), recording how Clodius ironized on Cicero as a *homo Arpinas*. See Dench (2013) 125.

the structures and concepts of identity throughout Italy.[45] As Kathryn Lomas has observed, the Social War "created an intense debate amongst the Italian nobility about the nature of regional identity and how to reconcile this with the profound changes in the relationship of Italian states to Rome".[46] Cicero's generation (and Cicero himself fought in the war)[47] proposed new, alternative, forms of identity; these were designed to help bring peace to the civic body and offer assurances through a new, and clearly defined, allegiance.

The ensuing tensions, such as those evident in the accusations of Torquatus twenty years later, still could be invoked in political and judicial debate. Cicero implies in the *Philippics* that even forty years after the end of the Social War Antony had used such an argument against Octavian (and probably Cicero himself).[48] Awareness of this *topos* affords a better understanding of Cicero's statements on citizenship and identity. In his reply to Torquatus Cicero not only emphasises that Torquatus himself came from Picenum on his mother's side;[49] more provocatively, however, he offers a passive-aggressive retort that stresses the role of the Italic elites, and their electoral power which became recognizable after the inclusion of the Italics in the census lists with the censorship of 70 BC:

> If in your eyes we whose name and position have become familiar to this city and a common topic of men's talk and conversation are foreigners, how much more will be those fellow-candidates of yours who are the elite of the whole of Italy and are now going to contend with you for office and every position of importance! Take care that you do not call any of them a foreigner or you will be swamped by your foreigners' votes! If they bring to the election vigour and drive, believe me, they will knock your boastful talk out of you and make you wake up; the only way in which they will let you defeat them for office is by merit.[50]

Through this juxtaposition of the Stoic model, and his elaboration on the integration of the Italics, Cicero assumes the role of the "good municipal"; indeed the majority of the dialogue with Atticus repeatedly stresses that the members of the Italic elites are full citizens, who, showing their merit and their

45 Carlà-Uhink (forthcoming). See also Gabba (1986) 656–657; Dench (2013) 125–126.
46 Lomas (2004) 97–98.
47 Cic. *Phil.* 12.27.
48 Cic. *Phil.* 3.15. See D'Arms (1984) 442–444.
49 Cic. *Sull.* 25.
50 Cic. *Sull.* 24; transl. C. Macdonald.

moral fibre, deserve full integration, which will enrich Rome and enhance its strength. Regardless of what individual members of the Italic elites might have thought or wanted,[51] Cicero consistently presents the role that he imagines, or rather wishes, the Italic elites performed in Rome, and how he expects these people to feel about their "double belonging".

The *pro Sestio*, composed in 56 BC as part of the defence of Publius Sestius, accused *de vi*, reveals this in the clearest way possible.[52] Cicero once again underlines the importance of the local fatherland by highlighting that he and Marius came "from the same roots". In so doing he curiously emphasises their ties to the same town rather than their connection deriving from the intermarriage between the Marii and the Tullii.[53] In this way Cicero stresses that one's local origin constitutes an important element of identity construction and of identification. When he defines who the *optimates* were, i.e. the "good people" who should be followed, Cicero explicitly states that they were: both old and new citizens, members of the Senate and their followers, and also "Romans from the *municipia* and from the countryside" (*sunt municipales rusticique Romani*).[54] This suggests that the integration of the Italic elites into the civic body was a central part of Cicero's agenda. Finally, Cicero argues that even before the Social War nothing was harder for the Latins and the allies than the occasions when they were forced to leave Rome.[55] The force of this claim suggests that the affective structure of the two fatherlands was not a recent creation, or even still *in fieri*, but almost a given for the Italics. The *pro Sestio* is thus a particularly good example of the continuous deployment of this *topos* as the basis for supporting Cicero (and his good people).[56]

51 See Lomas (2004) 110–111: "It is all too easy, given the bias of our evidence towards the Roman viewpoint, to think of the history of the first century BC as a linear process of convergence, by which the Italian nobility sought entry en masse into the senatorial order, but it is clear that political integration was only one of several paths open to Italian nobles. Their response to Rome was not uniform, and could be influenced by a wide range of factors".

52 Lepore (1954) 159–175.

53 Cic. *Sest.* 50. See Kaster (2006) 233–234.

54 Cic. *Sest.* 97. It is therefore a huge mistake to consider the *optimates* as "conservatives", as done e.g. by Wood (1988) 44–45, as he, on the contrary, is "presenting the distinction between 'popular' and 'optimate' only to collapse it almost immediately" (Kaster [2006] 31–37).

55 Cic. *Sest.* 30. On the legitimacy of the Italic request for enfranchisement, see also the already mentioned Cic. *Phil.* 12.27. On this, see also Isayev in this volume.

56 Cic. *Sest.* 12; 25–26; 32 (*nullum erat in Italia municipium, nulla colonia, nulla praefectura …*

In the same year, Cicero deployed this notion of Italy in his defence of Marcus Caelius. The prosecution probably tried to use Caelius's municipal (and equestrian) origins against him in continuity with Torquatus' strategy in 62 BC; this suggests that tension still existed between the "old" and the "new" citizens, and yet Cicero overturned the argument by praising Caelius' origins and highlighting that a respectable political career required the continued support of the town of one's birth. To do so Cicero emphasised how representatives of Caelius's hometown, Interamnia, came to support him in the trial.[57] This too reflects a *topos* that will require additional consideration below.

Consistent with this picture, and with his political biography as *homo novus* from Arpinum, Cicero frequently invoked the concept of *Italia* as a benchmark of his self-representation. This is evident as early as the trial against Verres (70 BC),[58] though he did so more consistently from 63 BC; for example he claims that his handling the Catilinarian conspiracy not only rescued Italy but also was welcomed by the entirety of Italy.[59] This rhetorical element, which was later adopted by Octavian and deployed to great effect before Actium, emerges even more forcefully after Cicero's return from exile in 57 BC, claiming that the entire peninsula wanted him back, welcomed him, and almost escorted him to Rome.[60] After 57 Cicero also retrospectively applied this idea to the Catilinarian conspiracy.[61]

Cicero's consistency when dealing with this subject, and the consistency between the "theory of the double fatherland" and his portraits of the "good statesmen" becomes completely evident if we consider the *pro Milone*. The speech, as is well known, had been written for the trial of 52 BC against Milo, who had killed Clodius. The trial was a failure for Cicero, who rewrote and published the speech shortly after the trial. The context of the publication was therefore the precise moment in which Cicero was writing *De legibus*. Milo was the representative of a municipal elite from Lanuvium. By birth Milo was a Papius who was later adopted by his maternal grandfather, Titus Annius. Following the model presented in the *pro Sestio* Milo represented Cicero's good municipal. Cicero's Milo was the *optimas* who deserved the curulian

quod tum non honorificentissime de mea salute decrevisset); 35–36; 38; 72; 83; 87; 107; 128; 130–131; 145. See Gabba (1986) 658.

57 Cic. *Cael.* 5. See Lomas (2004) 99.

58 Dench (2013) 131–132.

59 Cic. *Sull.* 33; *Att.* 1.14.4 (61 BC).

60 E.g. Cic. *Red. Sen.* 24; 39; *Red. Pop.* 1; 16; *Dom.* 142; *Pis.* 34; *Fam.* 1.9 (54 BC); *Leg.* 3.45. See Lepore (1954) 177–179.

61 E.g. Cic. *Fam.* 1.9 (54 BC).

honours through his own honesty and career.[62] It therefore should not be considered chance that Cicero represents Milo in a way that immediately recalls the dialogue with Atticus from *De legibus*. Even if Milo is a citizen from Lanuvium who maintained strong affective, institutional, and euergetic contact to his hometown, in which he was also *dictator*,[63] Cicero claims that Milo saw and loved Rome as the fatherland that gave him birth. In this way Milo represents Cicero's normative ideal of the good politician.[64] Thus, all of Italy rose to defend Milo in order to demonstrate its appreciation for good deeds, just as it had for Cicero.[65]

It is therefore wrong to claim that Cicero introduces the two *patriae* in the passage from *De legibus* but "forgets" to mention Italy as an important source of identity thereafter.[66] In actuality the passage is all about Italy or, more accurately, it is about the Italics.

3 You Might Very Well Have Two Fatherlands—And Still No Dual Citizenship

The double fatherland is surely not dual citizenship,[67] famously forbidden by Roman law. Cicero knew this well; he stresses it e.g. when defending Caecina (in 69–68 BC) and argues that citizenship cannot be taken away, if not together with freedom, and can only be surrendered voluntarily as in the case of exiles.[68] Therefore, "their citizenship is not taken away from them, but it is by them abandoned and discarded. For as no one under our law can be a citizen of two states, citizenship of Rome is actually lost at the moment when the runaway becomes an exile, that is, a member of another state".[69] Here Cicero reminds the Italics that they have acquired a right that can never be again taken away from them, regardless of what other members of the urban elite, such as Torquatus, might claim. He observes:

62 Lepore (1954) 319. Milo had already been presented as exemplary e.g. in Cic. *Red. Sen.* 19; *Har. Resp.* 6; *Sest.* 86–87.

63 Cic. *Mil.* 27.

64 Cic. *Mil.* 101. Praise for Milo as a hero, born to rescue Rome, can be found at *Har. Resp.* 6, too, but without any reference to his Italic and municipal origin.

65 Cic. *Mil.* 38; 92.

66 Keaveney (1987) 27.

67 In no way, therefore, can it be said that the object of his reflection is the question of "double citizenship", as claimed by Toynbee (1965), vol. 1, 179.

68 Cic. *Caec.* 98–102.

69 Cic. *Caec.* 100; transl. H. Grose Hodge.

> But I have done so, not because I thought that in this case you would look for this particular defence, but in order to bring it home to everybody that citizenship has never been and can never be taken away from any man. I wished all men to know this—both those whom Sulla intended to injure and all other citizens as well, whether the old or the new [i.e. the Italics after the Social War]. For if it has been possible to take away his citizenship from any newly created citizen, no argument can be advanced to show why it should not be taken away from all patricians, all the citizens of oldest creation.[70]

The idea of such a double fatherland, therefore, can apply only when the local community detains the same citizenship as the "overarching" one, i.e. the Roman one. As a consequence, this is true only of people coming from Italy. In this sense, Cicero's "interpretation" and adaptation of Stoic cosmopolitan ideals is far removed from the original. Whereas Stoicism conceived of common law as being common to all human beings,[71] Cicero claims a universal rule for the Roman Empire as ruled by a selected group of its inhabitants—the Italics. He does not advocate the progressive extension of citizenship or the progressive integration of all the provinces so that they would be on a par with Rome and Italy.

Indeed, the extent to which the situation described is tailored exclusively to the Italics enfranchised in the Social War is revealed by Cicero's attitude towards any proposal of extending Roman citizenship beyond the Italian peninsula. During his consulship in 63 BC Cicero showed his opposition to the idea of founding colonies in the provinces while fighting the agrarian law proposed by Publius Servilius Rullus.[72] The proposal obviously would have extended Roman citizenship beyond the borders of Italy. Towards the end of his life Cicero makes this view even more explicit in the *Second Philippic* where he comments on Caesar's project of extending citizenship to the provinces.[73] It was an effort which Cicero (rightly, with the benefit of hindsight) saw as just the first step towards a progressive extension of citizenship to the entire Empire, and Cicero characterized the move as extremely dangerous. Therefore, in spite of his special relationship with Sicily, where Cicero had been quaestor in 75 BC, he labels Caesar's project of awarding the Sicilians with Latin citizenship "intolerable"; even worse, however, was Antony's proposal to give them Roman cit-

70 Cic. *Caec.* 101; transl. H. Grose Hodge.

71 Vogt (2008) 161.

72 Cic. *Agr.* 2.56. See Ando (2002) 131.

73 Cic. *Phil.* 2.95.

izenship directly.[74] When discussing just war in *De officiis* Cicero remembers how the ancestors accepted into Roman citizenship the city of Tusculum, the Aequi, the Volsci, the Sabini and the Hernici—all Italic communities—while they destroyed (justly) Carthage and Numantia, as well as (less justly) Corinth.[75] In the *Third Philippic* Cicero replies to Antony who, as already mentioned, had attacked Octavian because of his municipal origin. Cicero reveals the extent of his "racism" towards the provinces by claiming: "'A mother from Aricia': you would think he was saying 'from Tralles' or 'from Ephesus'!"[76]

As already underlined by Lepore, Italy unmistakably underpins every Ciceronian project of reform and reconstruction of the *res publica*.[77] Italy is the centre of Roman power and must be distinguished from the rest juridically and not only symbolically: Cicero shivers at the idea that the Romans could start to see future mass enfranchisements as a possibility;[78] for Cicero the only legitimate mass enfranchisement was achieved with the Social War. It is important to emphasise that this does not apply to the enfranchisement of Cisalpina, which happened through the concession of Roman citizenship in 49 BC and with the following deprovincialization in 42 BC after Cicero's death. In this case Cicero defines the region as the *flos Italiae* and the struggle of its inhabitants for citizenship as just;[79] he consistently follows the dominant Roman tradition, according to which Cisalpina was part of Italy at least since the early second century BC, and its provincialization was probably perceived as a provisional, "necessary evil" for military reasons.[80]

Indeed when it comes to the provincials, as Steel highlighted, Cicero clearly sees "citizenship as a reward for services rendered to the Roman state: it bestows status, but does not result in participation, and is granted within the context of some form of patron-client relationship".[81] This becomes clear when one analyzes the "citizenship trials" against Archias and against Balbus. It is convenient to start with the defence of Balbus of 56 BC, which proves to be a more straightforward case.[82] Balbus, a provincial from the Spanish town of Gades, had been awarded Roman citizenship by Pompey because of his services

74 Cic. *Att.* 14.21.
75 Cic. *Off.* 1.35.
76 Cic. *Phil.* 3.15.
77 Lepore (1954) 344–345.
78 Steel (2001) 111.
79 Cic. *Phil.* 3.13; *Off.* 3.88.
80 See Carlà-Uhink (forthcoming).
81 Steel (2001) 111.
82 On the legal aspects of the case, see still Brunt (1982).

to the Roman army. By accepting it, he automatically ceased being a citizen of Gades and now had *hospitium* with his town of origin, as dual citizenship was impossible under Roman law.[83]

This award is strictly individual, and it does not open the door to the enfranchisement of entire communities in any way but, as has been highlighted, Balbus appears to be extremely passive in the entire speech[84]—Rome is said to benefit from the services of Balbus, but Balbus actually does not seem to have a voice. What is highlighted is not the assimilation of Balbus to Rome, but his difference—and his service to the *imperium*. As will become evident with the case of Archias, his service is indeed motivated through that difference, which enables him to have competences and possibilities which are not the same as the ones afforded to Roman citizens. The difference between the provincials individually achieving citizenship and the Italians, enfranchised collectively, rests entirely on this point—the former are "Other", useful eventually, but surely unable to ever achieve Sameness; the latter are the Same (or, to formulate it more cautiously, a Relative very near to the Same),[85] and deserved the juridical recognition of this fact.

Such an approach to the case, it has been claimed, "can be a sign that his jury, and readers, felt uneasy at the prospect of non-Romans becoming Roman".[86] While this is indeed very possible, it surely is a sign that Cicero himself felt very uneasy at that prospect. The case of Archias further enriches, and complicates, this picture. The poet Archias, whose right to Roman citizenship was challenged in 62 BC,[87] was indeed a provincial, from Antioch in Syria, but based his claims on having received the honorary citizenship of various Italic towns (Tarentum, Naples, Rhegium and Locris), most importantly Heraclea,[88] and therefore on having been enfranchised as a result of the Social War.[89]

Interestingly, Cicero barely mentions the Social War in the speech, in spite of the fact that the legal issue revolved entirely around it and that it would have helped his case to stress this. In fact, the only reference is to the fire which supposedly destroyed the archive of Heraclea.[90] The reason for this

83 Ando (2002) 124. See also Brunt (1982) 143.
84 Steel (2001) 104.
85 See Carlà-Uhink (forthcoming).
86 Steel (2001) 75.
87 Bellemore (2002) tried to argue that this trial also took place in 56 BC, but her argument is not convincing: see Coşkun (2010) 27.
88 Cic. *Arch.* 5–6.
89 On the juridical aspects of the case, see Coşkun (2010) 43–50.
90 Cic. *Arch.* 8.

apparently awkward silence might very well have been a distinct unwillingness to place Archias "within the context of a mass enfranchisement of men who were from a similar cultural background",[91] as his Syrian origin was known to everyone. From a Greek perspective, Heraclea and Antioch probably were, because of their "Greekness", much more similar than Heraclea and Rome, but highlighting this in front of the Roman jury assigning the case would have been very inconvenient.

And Cicero is too good a lawyer not to exploit this ambiguity—Archias is simultaneously, and paradoxically, a complete Other just as Balbus (his merit to the Romans rests with his Greek poetic ability), and an Italic, whose devotion to his new fatherland of Heraclea (in the sense of the "small" and "local" fatherland, therefore automatically meaning also devotion to Rome) is explicitly praised and highlighted as worthy,[92] even if the "provincial portrait" again immediately dominates. In this sense, it is interesting to highlight—as it has not been done sufficiently until now—that Cicero exploits Ennius as a parallel to Archias, whose background was actually very different. Steel argues that "Cicero is here using well-established arguments for enfranchisement, with reminiscences, at least in the case of Archias, of Ennius, which allows him to draw attention away from the fundamental changes in the composition of the citizen body which followed the Social War, and the increasing demand for citizenship which could follow the Romanization of the provinces, and thus avoid radical questions about who should be a Roman citizen".[93] I would instead stress that Cicero is here reshuffling the cards of his deck, claiming the existence of a similarity based on the poetic achievements,[94] and thus hiding that Ennius was Italic (Archias only legally so) and that Ennius was brought to Rome by Cato,[95] whose stance towards Greek culture was well known and who, originating from Tusculum, was himself a perfect model of Cicero's good citizen. Ennius was awarded citizenship by his aristocratic friends in the context of a colonial foundation, while Archias was part of a mass enfranchisement. Establishing a "false" parallel also allows Cicero to assimilate the two on the basis of their poetic production, which honoured Rome and its aristocracy, and to "veil" the fact that Ennius, whose Italic origin in Rudiae

91 Steel (2001) 96–97.

92 Steel (2001) 92.

93 Steel (2001) 18.

94 Steel (2001) 87, interprets this parallel, as the one to Homer, as a way to redefine "the traditional relationship between poet and individual aristocratic patron into a relationship between poet and the state".

95 Nep. *Cat.* 1.4.

is explicitly mentioned in the speech, was not Greek, but Oscan, therefore Italic—even if he, according to Gellius, used to claim that he had "three hearts", a Latin, a Greek and an Oscan one.[96] It was well known that Ennius himself, in his *Annales*, had written about his condition in the verse *nos sumus Romani, qui fuvimus ante Rudini*.[97] Cicero would have approved: these words did not mean that Ennius now "rejected" his previous hometown—he was simply emphasizing his new citizenship. As expressed by Sherwin-White, "the upshot of this was that while a man was a member of only one sovereign state, he was attached as a *municeps* to a secondary community, his municipal *patria*, which, though not on the same scale as the state, imposed its obligations and offered its honours to him".[98]

In this way, the attention of Cicero's audience could be driven away from the idea that masses of provincials could be "indirectly" enfranchised via the Greek towns of Southern Italy. In the defence of Archias, Cicero clearly feels at unease—and expects his public to feel it—when observing that such Magnograecian *poleis* had given their citizenship to many individuals over the years, who could then claim Roman citizenship if they resided in Italy in 89 BC according to the *lex Plautia Papiria*:[99]

> Citizens of the ancient Greek states often went out of their way to associate with themselves in their civic privileges undistinguished men, of unimportant attainments, or of no attainment at all; and you would have me believe that the citizens of Rhegium or Locri, Neapolis or Tarentum, withheld from a brilliant genius as my client an honour which was commonly bestowed by them on play-actors. Others have found some ways of creeping into the rolls of the cities I have mentioned, not merely after they had received the citizenship, but even after the passing of the law of Papius; my client does not even avail himself of the presence of his name on these lists in which he is enrolled, because he has always desired to belong to Heraclea; and shall he therefore be rejected?[100]

96 Gell. 17.17.1. On this expression, see, among many others, Dench (2005) 167–168; Gowers (2007) 28–30; Yntema (2009). See also Carlà-Uhink (forthcoming).

97 Enn. *Ann. fr.* 525 Skutsch. See Yntema (2009) 160.

98 Sherwin-White (1973) 154.

99 Cic. *Arch.* 7; transl. N.H. Watts. On the *lex Plautia Papiria*, see, among many others, Sherwin-White (1973) 152–153; Luraschi (1978) 339–344; Brunt (1988) 107–108; Thomas (1996) 103–117; Elster (2014) 204–205. See also Carlà-Uhink (forthcoming) for further literature.

100 Cic. *Arch.* 10.

Archias' awkward—and probably very unsettling—juridical position, as a Syrian, who is also an Italic, but a Greek Italic, is revealing. It is suggestive of what Cicero, and perhaps the wider Roman public, thought about the extension of citizenship. It is not coincidence that he is called Aulus Licinius only at the very beginning of the speech[101] and Archias throughout the rest of the text. This, it has been emphasised, suggests that Cicero consciously presents him as Greek,[102] and absolutely not as a "naturalized" Roman, as Cicero views the Italics. A single Greek receiving citizenship because of his merits, as had happened in other cases,[103] was less problematic than enfranchising an entire community through the Greek *poleis* of Southern Italy.

This might be one of the reasons that forced Cicero to move beyond the juridical case and investigate why Archias would have deserved citizenship even if it had been assigned to him on as an individual on the basis of merit. Cicero brings home his points by assimilating Archias to Ennius, an Italic who did achieve citizenship, but at the beginning of the second century BC on the basis of his individual merits. The problem continued to be the "intrinsic Alterity" that the Romans attributed to the Greeks, even when they came from Italy:[104] that the Greek cities of Southern Italy could still represent a strong Alterity is demonstrated once again by the *Pro Balbo*. The Greek priestess of Ceres, generally coming from Neapolis or Velia, received Roman citizenship before the Social War in order to accomplish their "foreign" rites, is presented as a relevant parallel to the Spanish military engineer.[105] Archias, as Balbus, receives his citizenship exactly because he is a foreigner and he remains such, while rendering good service to the Roman State,[106] and, in this sense, he is a provincial rather than an Italic. The distinction between Italy and "the rest" is once again clear-cut and undoubtable.

101 Cic. *Arch.* 1.

102 Steel (2001) 91.

103 Ferrary (2005) 51–56.

104 The general, and widespread, "hostility" towards the Greeks (in general, and not only of Southern Italy) is also instrumentally exploited by Cicero when it is useful to his case, as in *Flacc.* 9. On the Roman "negative" attitude towards the Greeks, a far too big topic to be dealt with here, see, among others, Dubuisson (1983) 38–39; Griffin (1994) 697–698; Henrichs (1995). In particular, on Roman stereotypes on the Greeks from Southern Italy, see Simon (2011); Carlà-Uhink (forthcoming). The topic of "Hellenization", or better of the "renegotiation" of the boundaries between the Greek and the Roman identity in the age of Cicero widely escapes the limits of this chapter. See, among many other, Wallace-Hadrill (1998).

105 Cic. *Balb.* 55. On the priestess of Ceres and their relevance for this topic, see Isayev (2011).

106 Isayev (2011) 375–376. On Archias, see also Coşkun (2010) 73–77.

4 Simply the Best

The provincials are thus simply excluded from belonging, if not under fortunate and strictly individual circumstances, to the community of the "elected" represented by the Roman citizens. This is formed by the members of the traditional urban aristocracy, men such as Atticus and Torquatus, and by the Italics, both those enfranchised after the Social War and those belonging to communities, as Arpinum, which had been awarded the *civitas optimo iure* before the Social War.

But is there a hierarchy between these two groups? The answer to this question must be yes. First of all, Cicero deploys in many occasions the argument that "rustic", or rather municipal, life, is morally superior to the life in the city, conceived as a place of luxury and corruption (especially for those who already have a propensity to debauchery).[107] This is surely a *topos*, particularly relevant in trials in which the defendant comes from a *municipium*, as Cicero often highlights that the affection for one's hometown or region served as a mark of honest and correct behaviour. Indeed, Cicero represents on many occasions the kind of solidarity which exists in the *municipia*, and the support offered by the entire communities when one of their members is put on trial—be it the embassy of Heraclea coming to help Archias,[108] or the conspicuous (in the words of the advocate) presence of members of Larinum at the trial of Cluentius.[109] The "small fatherland" can influence, through the demonstration of its love, the judgements of the "big fatherland".[110] Such a *topos* surely partially contradicts Cicero's statement, in *De republica*, according to which Romulus founded Rome on the perfect spots to avoid an excess of corruption caused, e.g., by the sea;[111] nonetheless it is consistent with other moralistic stances of the same kind.

Maybe more significantly, Cicero, consistently with the image of the "good citizen" presented above, does frequently characterize the Roman aristocrats, as Torquatus, through an unacceptable form of arrogance, which leads them to discriminate the municipals.[112] Once again, this might depend on a case-by-case basis or the social extraction of his "clients", but highlighting the moral stance of the Italic elite against the biased and discriminating Roman aristoc-

107 E.g. Cic. *Rosc. Am.* 75; *Cluent.* 36; 46; *Cael.* 5. See Lomas (2004) 115; Dench (2013) 128.
108 Cic. *Arch.* 8.
109 Cic. *Cluent.* 195.
110 Lomas (2004) 111–112.
111 Cic. *Rep.* 2.5–10.
112 On this, see e.g. Cic. *Mur.* 16; *Rep.* 1.51–52. On this passage, see also D'Arms (1984) 457.

racy—and most of all counting on the fact that such a dichotomy will be approved by the public and the judges—is a clear product of the ongoing tension between "old" and "new" citizens. It fits very well with Cicero's consistent and continuous insistence on portraying an aristocracy of merit, and not of blood, and with his aim of "pushing" the Italic elites to involve more in Roman politics,[113] just as he praised Cato the Elder in *De republica* for not remaining quietly in Tusculum but engaging personally in politics at Rome.[114]

Summing up, it seems necessary to conclude that Cicero's writings, and particularly his famous passage on the "two fatherlands" do not show any kind of schizophrenia. On the contrary, they reveal a consistent and persistent political ideal, which is deployed in the speeches as in the more theoretical and philosophical works. This political ideal, very far away from "excluding" or "hiding" Italy, instead relies completely and solely on the peninsula, on its society, on its integration and involvement in the political life at the centre, in Rome.

The Social War left an extremely deep and sorely felt *vulnus* in Roman society—a *vulnus* that required a complete restructuring of the civic body, able to close the gap between the old and new citizens and their mutual suspicions. This is the project in which Cicero personally engaged, with his activity as a writer, as an advocate and as a politician. The idea and ideal of Italy—and of the necessary engagement of the Italian elites in the Roman imperial project—that he developed in this context was one of the most relevant products of his entire life and activity. His *tota Italia*, and his system of juridical and affective citizenship were indeed extremely successful, as reflected by their successive life, and especially by their adoption by Caesar and later by Augustus in the form of the *coniuratio Italiae*.

Bibliography

Ando, C. 2002. Vergil's Italy: Ethnography and Politics in First-Century Rome. In *Clio and the Poets. Augustan Poets and the Traditions of Ancient Historiography*, eds. D.S. Levene and D.P. Nelis, 123–142. Leiden.

Balbuza, K. 2014. The Idea of *aeternitas* of State, City and Emperor in Augustan Poetry. *Klio* 96: 49–66.

113 Dench (2005) 132. See also Cic. *Leg.* 3.36, where Cicero comments on the political activity of his grandfather, "criticized" by M. Scaurus because he never wanted to get involved in politics at Rome.

114 Cic. *Rep.* 1.1.

Barchiesi, A. 2008. *Bellum italicum*: l'unificazione dell'Italia nell'Eneide. In *Patria diversis gentibus una? Unità politiche e identità etniche nell'Italia antica*, ed. G. Urso, 243–260. Pisa.

Behrends, O. 2002. La *lex Licinia Mucia de civibus redigundis* de 95 a. C. Une loi néfaste d'auteurs savants et bienveillants. In *Antiquité et citoyenneté*, ed. S. Ratti, 15–33. Besançon.

Bellemore, J. 2002. The Date of Cicero's *Pro Archia*. *Antichthon* 36: 41–53.

Brunt, P.A. 1982. The Legal Issue in Cicero, *Pro Balbo*. *CQ* 32: 136–147.

Brunt, P.A. 1988. *The Fall of the Roman Republic and Related Essays*. Oxford.

Campanile, D. forthcoming. Stoicismo e propensione evergetica in età romana. *Mediterraneo Antico*

Capogrossi Colognesi, L. 2000. *Cittadini e territorio. Consolidamento e trasformazione nella 'civitas Romana'*. Roma.

Carlà-Uhink, F. forthcoming. *The 'Birth' of Italy. The Institutionalization of Italy as a Region, 3rd–1st Century BCE*. Berlin.

Cébeillac-Gervasoni, M. 2008. Les rapports entre les élites de Latium et de la Campanie et Rome (III s. av. J.-C.–I. s. ap. J.-C.): l'apport d'une enquête prosopographique. In *Patria diversis gentibus una? Unità politiche e identità etniche nell'Italia antica*, ed. G. Urso, 39–62. Pisa.

Coşkun, A. 2010. *Cicero und das römische Bürgerrecht. Die Verteidigung des Dichters Archias*. Göttingen.

S. Costanza, S. 1955. Considerazioni relativistiche nella *praefatio* di Cornelio Nepote. *Teoresi* 10: 131–159.

D'Arms, J.H. 1984. Upper-Class Attitudes towards *viri municipales* and Their Towns in the Early Roman Empire. *Athenaeum* 62: 440–467.

Dench, E. 2005. *Romulus' Asylum. Roman Identities from the Age of Alexander to the Age of Hadrian*. Oxford.

Dench, E. 2013. Cicero and Roman Identity. In *The Cambridge Companion to Cicero*, eds. C. Steel, 122–138. Cambridge.

Dubuisson, M. 1983. Some Aspects of Graeco-Roman Relations: The Attitude of Roman Administration Towards Language Use, Xenophobia and Disparaging Words in Greek and Latin. In *Prudentia* 15: 35–47.

Dyck, A.R. 2004. *A Commentary on Cicero, De legibus*. Ann Arbor.

Dyson, S.L. 1992. *Community and Society in Roman Italy*. Baltimore—London.

Elster, M. 2014. Die römischen *leges de civitate* von den Gracchen bis Sulla. In *Gesetzgebung und politische Kultur in der römischen Republik*, ed. U. Walter, 183–226. Heidelberg.

Erskine, A. 1990. *The Hellenistic Stoa. Political Thought and Action*. London.

Ferrary, J.L. 1995. The Statesman and the Law in the Political Philosophy of Cicero. In *Justice and Generosity. Studies in Hellenistic Social and Political Philosophy*, eds. A. Laks and M. Schofield, 48–73. Cambridge.

Ferrary, J.L. 2005. Les Grecs des cites et l' obtention de la *ciuitas Romana*. In *Citoyenneté et participation à la basse époque hellénistique*, eds. P. Fröhlich and C. Müller, 51–75. Genève.

Fletcher, K.F.B. 2014. *Finding Italy. Travel, Colonization, and Nation in Vergil's Aeneid*. Ann Arbor.

Gabba, E. 1979. Per un'interpretazione politica del *de officiis* di Cicerone. *Atti dell'Accademia Nazionale dei Lincei. Rendiconti della Classe di Scienze Morali, Storiche e Filologiche*, 34: 117–142.

Gabba, E. 1986. Le città italiche del I sec. a.C. e la politica. *Rivista Storica Italiana* 98: 653–663.

Galsterer, H. 1994. Regionen und Regionalismus im römischen Italien. *Historia* 43: 306–323.

Gowers, E. 2007. The *cor* of Ennius. In *Ennius Perennis. The Annals and Beyond*, eds. W. Fitzgerald and E. Gowers, 17–37. Cambridge.

Griffin, M. 1994. The Intellectual Developments of the Ciceronian Age. *CAH* IX^2: 689–728.

Hammer, D. 2014. *Roman Political Thought. From Cicero to Augustine*. Cambridge.

Henrichs, A. 1995. *Graecia Capta*: Roman Views of Greek Culture. *Harvard Studies in Classical Philology* 97: 243–261.

Isayev, E. 2011. Just the Right Amount of Priestly Foreignness: Roman Citizenship for the Greek Priestess of Ceres. In *Priests and State in the Roman World*, eds. J.H. Richardson and F. Santangelo, 373–390. Stuttgart.

Kaster, R.A. 2006. *Marcus Tullius Cicero. Speech on Behalf of Publius Sestius*. Translated with Introduction and Commentary. Oxford.

Keaveney, A. 1987. *Rome and the Unification of Italy*. London.

Lepore, E. 1954. *Il* princeps *ciceroniano e gli ideali politici della tarda Repubblica*. Napoli.

Lomas, K. 2004. A Volscian Mafia? Cicero and His Italian Clients in the Forensic Speeches. In *Cicero the Advocate*, eds. J. Powell and J. Paterson, 97–116. Oxford.

Luraschi, G. 1978. Sulle *leges de civitate* (*Iulia, Calpurnia, Plautia Papiria*). *Studia et Documenta Historiae et Iuris* 44: 321–370.

Moretti, L. 1977. Filosofia stoica ed evergetismo ellenistico. *Athenaeum* 55: 82–87.

Nicolet, C. 1991. L' origine des *regiones Italiae* augustéennes. *CCG* 2: 73–97.

Nussbaum, M.C. 2004. Duties of Justice, Duties of Material Aid: Cicero's Problematic Legacy. In *Stoicism. Traditions and Transformations*, eds. S.K. Strange and J. Zupko, 214–249. Cambridge.

Paasi, A. 1996. *Territories, Boundaries and Consciousness*. Chichester.

Schofield, M. 1991. *The Stoic Idea of the City*. Cambridge.

Schofield, M. 2008. Social and Political Thought. In *The Cambridge History of Hellenistic Philosophy*, eds. K. Algra, J. Barnes, J. Mansfield and M. Schofield, 739–770. Cambridge.

Sellars, J. 2007. Stoic Cosmopolitanism and Zeno's Republic. *History of Political Thought* 28: 1–29.

Sherwin-White, A.N. 1973. *The Roman Citizenship*. Second edition. Oxford.

Simon, M. 2011. *Le rivage grec de l'Italie romaine. La Grande Grèce dans l'historiographie augustéenne*. Roma.

Spagnuolo Vigorita, T. 1996. *Città e impero. Un seminario sul pluralismo cittadino nell'impero romano*. Napoli.

Steel, C.E.W. 2001. *Cicero, Rhetoric, and Empire*. Oxford.

Thomas, Y. 1996. *Origine et commune patrie. Étude de droit public romain (89 av. J.-C.–212 ap. J.-C.)*. Roma.

Toynbee, A.J. 1965. *Hannibal's Legacy. The Hannibalic War's Effects on Roman Life*. 2 voll. London.

Vogt, K.M. 2008. *Law, Reason, and the Cosmic City. Political Philosophy in the Early Stoa*. Oxford.

Yntema, D. 2009. Material Culture and Plural Identity in Early Roman Italy. In *Ethnic Constructs in Antiquity. The Role of Power and Tradition*, eds. T. Derks and N. Roymans (eds.), 145–166. Amsterdam.

Wallace-Hadrill, A. 1998. To Be Roman, Go Greek. Thoughts on Hellenization at Rome. In *Modus Operandi. Essays in Honour of Geoffrey Rickman*, eds. M. Austin, J. Harries and C. Smith, 79–91. London.

Wiseman, T.P. 2009. *Remembering the Roman People. Essays on Late Republican Politics and Literature*. Oxford.

Wood, N. 1998. *Cicero's Social and Political Thought*. Berkeley—Los Angeles—London.

CHAPTER 11

Ancient and Modern Sources of Hegel's Conception of the Roman Citizenship

Valerio Rocco Lozano

1 Rome in Hegel, Sources and Historical Events

The most complete conceptual articulation of the Roman citizenship in the Hegelian system can be found in the *Phänomeologie des Geistes*, in the section devoted to the juridical condition (*Rechtszustand*), in the Chapter VI of this work.[1] The complex vision presented by Hegel in these pages, at the end of the Jena period, should not be analysed independently, but always in connexion with his education and readings, crucial elements in order to understand his vision of the Roman world and citizenship. Therefore, the purpose of this paper is to provide a general view about the sources of Hegel's vision of the Roman law and citizenship in his early writings. The scarcity of specific studies[2] about this topic, and more generally about the conceptual role played by Rome in the Hegelian philosophy, is not the only reason for undertaking such a research: in fact, this task allows us to understand the structure and development of Hegel's thought. His change of attitude concerning Rome in the different phases of his philosophy is striking indeed: his initial sincere respect, sometimes full of true admiration, towards this period of Universal History, in his first texts in Stuttgart, turns into the harsh criticisms against it in the Berlin phase, when the Roman Empire is depicted as the realm of irrationality, violence, injustice, and merely formal relations, and the citizens are considered as slaves. The com-

1 Cf. Hegel (1980) 260–264.

2 The only important exceptions in this sense are the collective book: Illetterati and Moretto (2004) and Bonacina (1991). Two works are particularly relevant specifically for the presence of the Roman law in Hegel's Rechtsphilosophie: Villey (1975) and Guinle (1981). In Brasil the research group born around Joaquim Carlos Salgado is currently very active in studying the influence of the Roman culture and law in many Hegelian works; for instance see Salgado and Borges Horta (2010). The Dissertations about Rome and Roman law in Hegel are: Buso (2002), Rocco Lozano (2011), Sheplyakova (2011). Much more has been written about the presence of the Greek world in Hegel. For a bibliographical review cf. Sichirollo (1974). It is also necessary to mention the classic and very influential work by Taminiaux (1967).

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prehension of this remarkable *transition* is even more important if included within the complex task of *destroying* the stereotypical image of a two-faced Hegel, or even of two different philosophers: the young Francophile revolutionary and the mature Prussian reactionary. The *Hegel-Forschung* should make a conceptual effort in order to find continuity in his life and work, considering the apparent fractures as swerves, and analysing the internal confrontations within his thought always bearing in mind the different intellectual and historical influences in each period of his life.

Therefore, a study on the role played by Rome in the Hegelian system should lead us to the analysis of the main readings that contributed to forge in our philosopher a certain image of that past reality. As we will see, the sources of Hegel's vision of Rome may be divided in two categories: on the one hand, we have the important influence of classic Latin historians and poets studied by Hegel especially at the *Gymnasium Illustre* in Stuttgart. On the other hand, Hegel is deeply influenced by the vision of Rome in modern philosophers, especially Gibbon, Montesquieu, Rousseau, Schiller and Herder. The only important exceptions to this division in ancient literary and modern philosophical sources are a classic philosopher, i.e. Cicero, and a modern poet and playwright, i.e. Shakespeare. As we will see, it would be a mistake to consider the philosophical and literary blocs of authors as separate: before and during the Revolution, the ideological symbolic appropriation of the Roman past by French politicians and philosophers would have been impossible without the strong role played by Latin authors in their education.

Together with these philosophical and literary sources, it is necessary to bear in mind the historical events which, especially in Hegel's youth, until the change of Century, could condition his general view about ancient Rome and Roman citizenship: in particular, his reappraisal of the Roman world should always be considered in connection with the events of the French politics. It is perfectly possible to show how, at a certain moment of his life, the symbolic and structural similarities between the event started in 1789 and the Roman history make Hegel's words relating to the first perfectly applicable to the second, and vice versa. In fact, the analysis of Hegel's texts and biography shows that the influence of the Revolution—along with its cultural and political reception in Germany—explains the evolution since his first admiration to Rome until the obvious distance in the *Phänomenologie des Geistes* or in the *Grundlinien der Philosophie des Rechts*. Actually, the Hegelian view of the Roman citizenship was influenced, directly or indirectly, by what was happening in France, and mainly by the increase of the personal coercive and repressive power *ad intra*, together with the military expansion of the young Republic *ad extra*.

If we accept the importance of these elements in order to explain Hegel's evolution in his vision of Roman politics, then we should admit that a crucial moment in which these historical elements were deeply altered, is obviously Napoleon's take of power. As it is well known, this took place the 9th of November of 1799 (the famous *18 Brumaire* remembered by Marx), with the establishment—and the name itself is very meaningful—of the *Consulate*. Thus, from 1800, in the transition between the end of Frankfurt and the beginning of Jena periods, Hegel's opinion regarding the French politics in connection to its Roman model had to change radically, because the very situation of the neighbour country, as well as the historical connections that were suggested since then between France and *another* Rome, had been completely modified: indeed, France depicts itself and is considered abroad as closer to the imperial conceptual frame, very far from the republican model that, thanks to Rousseau's influence, inspired in so many ways the first years of the Revolution (for example, giving new Latin names to streets, towns, institutions, as well as to political leaders such as, for instance, Caius Gracchus Babeuf, le *Tribun du Peuple*).

However, the deep conceptual connection existing between Rome and the revolutionary France, encouraged by the latter—to the point that it became almost a commonplace of that period—was not the only great issue of young Hegel's reflection: in the Bern and Frankfurt years, Rome is thought mostly in connection with the topic, full of strong political and social[3] implications, of the possibility of a *Volksreligion*, and its relations with Judaism and Christianity. As this political-religious concept was more and more precisely defined by Hegel, also the role of Roman paganism and of the Empire—the cradle of the birth of the universal individual Jesus Christ—underwent a deep transformation.

For these reasons, the study of the conceptual role of the Roman citizenship in the years of Hegel's youth, and specifically until the change of Century, is not only crucial in order to understand the internal development from an initial admiration to a harsh criticism of the *Romanitas*, but also because it allows us to understand better the two main thematic pillars of these years: the *Volksreligion* and the French Revolution.

3 Cf. Duque (1996) 260: "hemos visto con creces que la *Volksreligion* defendida por Hegel no es una ocupación 'parcial', sino que se extiende—como una red de interacción simbólica—por todo el tejido social. Sin ella, la vida se hace inane".

2 Rome in Hegel's Education and First Writings

According to all Hegel's biographies, the Roman culture was decisive in Hegel's education, starting from the private lessons of Latin taught by his mother when he was only five years old, even before his attendance to the *Lateinische Schule* in Stuttgart[4] since 1775 and after that at the *Gymnasium Illustre* since 1784, where the young student used the Latin not only as a vehicular language in academic contexts, but also in personal expressions of his own thoughts and feelings. For this personal and informal use the pages of his diary between the years 1785 and 1786 are extremely interesting,[5] as they are completely written in that classical language, towards which Hegel expresses frequently a high admiration, as we can see in his own explanation of the transition from German to Latin in the *Tagebuch*: "*exercendi styli et roboris acquirendi causa non alienum videtur, notam quandam historiam latino idiomate conscribere. Constitutum igitur habeo, res Romanas brevi percurrere et primoribus saltim labiis degustare*".[6]

Latin was not only the language in which Hegel wrote many of his early writings,[7] but also the language in which he read the main authors of the classical culture, and followed many lessons about the Greek and Roman worlds. About

4 Cf. Pozzo (1989) 2–3, especially the reconstruction of the importance of the *scholae latinae* in Germany since its foundation by Melanchton in 1528.

5 Cf. Ripalda (1978) 134: "las huellas directas de los clásicos griegos y latinos sobre Hegel se encuentran sobre todo en el *Diario*, a cuya fecha temprana se deben el tono predominantemente humanista con que es acusado este influjo y la importancia que conservan sus epígonos".

6 Cf. Hegel (1989) 197. At p. 23 we can read again the same justification of his writing in Latin, after an interruption due to medical reasons: "*constitutum habeo diarium hoc, et per examen nostrum Prid. Non. Septembr., habitum, et potissimum, qui me invasit, per morbum et gravem et diuturnum, longo temporis intervallo intermissum, jam resumere et pristina studio stilo exercendo renovare*".

7 Cf. Hegel (1989) 19–20: "*Nox erat; et tranquilla mente libello obsidebam, cum* (*mens horret*) *dicere flagrare in urbe nostra aedem sonitus campanae nos exterreret. Heu, quantus omnes invasit metus! Invalescente jam incendio, ego meusque pater auxilium ivimus domui cuidam vicinitatis. Ibi vero videres aedam flagrantem totam igne et paene jam incendio consumptam. Domum illam cum pervenissemus, senescere jam coepit flamma, et paullo post evanescere paene, et fumum late tolli ad astra. Quid plura? Hora vix elapsa restincta est flamma, consumpta domu dimidia, vicinique et incendio diffundente, et, sapienter ac bene quod institutum est, destruendo, valde tecta Laesis* [...] *Causam vero, quae incendio commomoverit, sexcenties variant. Narrant plerique plumbo, quod ajunt infuso, sed et hic differunt aliiquid tamen recensio tot rumorum proficiant. Consentiunt vero plerique, filiae Domini Praeceptoris ineptias nugasque et aetate et*

the classical authors read by Hegel in the *Gymnasium*, in the diary we find two lists where the young student wrote the works he borrowed from Professor's Löfflers library. In the first one[8] we see that these 15 books are significantly divided into *Griechische* and *Lateinische*, and show a clear predominance of the Latin literature and philosophy (13 authors, among them Cicero, Virgil and Plautus) over the Greek writings (only three books, by Aristotle, Demosthenes and Isocrates). In the same page of the diary he tells that in professor's Nast lesson he explained—again, following Löffler's suggestions—three philosophical works by Cicero: *De senectute*, *Somnium Scipionis* and *De amicitia*.[9] In an additional passage of the *Tagebuch*[10] Hegel writes that he borrowed six more books: including Seneca, Livius and again Cicero.

Cicero's presence in Hegel's education at the *Gymnasium* is really astonishing, and it was due to two influences: the first one is the aforementioned Professor Löffler, important also for introducing Hegel into Shakespeare's readings. Together with this professor, towards which Hegel always had a sort of veneration,[11] we have to mention the role of Philipp Heinrich Hopf, who had studied at the *Stift* in Tübingen; even if he was professor of mathematics and physics, he also taught Greek and Latin culture, and he was in charge of the school library. During many years of his stay at the *Gymnasium Illustre*, Hegel attended the *collegia publica, privata et privatissima* organized by Hopf on the great masterpieces of classical literature and philosophy. For example, in seventh grade, a monthly schedule in Hegel's *Tagebuch* shows that the young student attended an additional *collegium* on Cicero's *De officiis*, even though he

ordine indignissimas igni fuisse causam, quae quidem dum salvare vellet lectum aliquem, valde et crines, et faciem et vestimenta cremata est".

8 Cf. Hegel (1989) 6–7: "Ich kaufte aus der Bibliothek des seeligen Herrn Praeceptor Löeflers meines treuesten Lehrers und Fürers [die] folgende Bücher: 1. Griechische: *Aristoteles de moribus; Demosthenis oratio de corona; Isocratis opera omnia*; 2. Lateinische: *a*. prosaische: *Ciceronis opera philosophica; A. Gellii noctes Atticas; Vellejus Paterculus; Diodorus Siculus; b*. poetische: *Plautus; Catull, Tibull, Properz; Gallus, Claudian und Ausonius; Hieronymus Vida; Virgil. Christianus; Sannazarius*".

9 Cf. *ibidem*: "exponierte ich Cicero *De senectute, Somnium Scipionis* und *Laelius de Amicitia*".

10 Cf. Hegel (1989) 18: "*Aucta etiam est interea bibliothecula mea libris aliquot. Emi enim jam dudum: 1. Livium, ex meo aerario sumtibus erogatis, quatuor florenis; 2. Ernesti Clavim Ciceronianam, thalero; 3. Ciceronis Epistolas ad Atticum decem crucigeris; 4. Theophronem Campei, vernaculo idiomate, viginti et sex crucigeris; 5. Homei artem criticam, ex Anglica traductam in vernaculam a Meinhardo, floreno et quadraginta et quinque crucigeris; 6. Senecae opera philosophica crucigeris quindecim*".

11 Cf. D'Hondt (2002) 36.

was already attending an ordinary course on this philosopher. Not satisfied with these seven weekly hours on Cicero, Hegel writes down that after dinner he is planning to attend several *collegia privatissima*, again, on Cicero's work.[12] From the reading of works as *De officiis*, Hegel took one of the basic points of his thought, not only in his youth, but also in mature works, i.e., the practical and social dimension of philosophy, and its deep connexion with concrete problems of the human beings, to which it must try to find a solution.[13] Therefore, Hegel reads for the first time in Cicero the conceptual formulation of an active conception of citizenship, together with the strong political potential of philosophy, its possibility of changing the social world. A demonstration of this fact is that in a series of definitions written around 1785 Hegel's definition of *Staaten* is taken from Cicero's *Somniun Scipionis*:[14] "Staaten: *concilia coetusque hominum, jure sociati*".

The presence of the Roman world in Hegel's education is also evident in his first writings during the Stuttgart period. Significantly enough, the first four writings included in the first volume of the *Gesammelte Werke* are devoted to the Greek and Roman culture and politics. Three of them focus on religious and literary aspects of the classical world, in deep connexion with Hegel's own time, as it can be seen from the titles of the works: *Ueber die Religion der Griecher und Römer*, *Ueber einige charakteristische Unterschiede der alten Dichter* and finally *Ueber einige Vortheile, welche uns die Lektüre der alten klassichen griechischen und römischen Schriftsteller gewährt*. In these texts, Hegel considers the Roman and Greek culture and religion always in connexion with the political context of each historical period. In general, the Greeks are seen as unbeatable examples in poetry and fine arts, while the roman authors are considered particularly useful in the fields of history and politics. The best proof that Hegel, even before the beginning of French Revolution, was already deeply infected with Roman republicanism in his will of changing the social world, can be found in the very first text written at the *Gymnasium*, entitled *Unterredung zwischen Dreien*. This short literary text presents a conversation among Octavius, Antonius and Lepidus about their plans for taking the power after Julius Caesar's murder.[15]

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12 Cf. *ibidem*.

13 Cf. Tassi (1996) 52–53: "Il *De Officiis* introduce la problematica morale degli stoici in quanto fondata sui principi stessi del platonismo. Tra questi, l'affermazione prioritaria per la quale la filosofia dev'essere determinante in senso civile, e solidamente radicata nel contesto dei problemi che gli uomini concretamente vivono e condividono su questa terra".

14 Cf. Hegel (1991) 205.

15 For a complete analysis of this Hegelian work, cf. Rocco Lozano (2011b) 333–345.

Fascinated by the ideas of republican *libertas* and stoic *virtus* learnt during the lessons and readings about Roman history, the young Hegel writes an impetuous text, full of enthusiasm towards these notions crucial in his understanding of the Roman citizenship. Although written by a fifteen years old student, the text is not naïve at all, as it uses an indirect mean for its purpose of praising the republican *libertas*. Indeed, instead of defending the last individuals loyal to the Republic, especially Brutus—who will soon become a hero for the French Revolution—, Hegel presents the evil and selfish project of the three enemies of the *libertas*, thus creating in the reader an immediate sympathy towards the republican ideals. For example, Octavius doubts that the Roman people will renounce to its freedom and accept their absolute power, and at the same time he confesses that his enemies, Brutus and Cassius, belong to a higher moral sphere.[16] This is the only passage where Hegel, through Octavius words, praises directly the heroes of the republican *libertas*.

The rest of the text presents the future *triumviri* as usurpers of the legal power that look down on the people, which according to them can be bought through the famous strategy of *panem et circenses*.[17] At the same time, among the three of them, they lack loyalty, the most fundamental virtue in ancient Rome: while they are preparing together a conspiracy in order to overthrow the republican regime, they also secretly plan how to defeat their allies and be the only rulers. In the first place, Antonius confesses to Octavius his intention of putting Lepidus aside as soon as they reach the power.[18] Even if Octavius replies to Antonius pretending to defend Lepidus, at the end of the text he shows his true intentions and strategy, and his will of an absolute power against his two allies:

> Aber an mir wird er keinen Lepidus finden. Mein unsclavischer Nacken ist nicht gewohnt, sich unter die herabsehenden Blicke eines Beherrschers zu schmiegen. Er wird sich in den Wollüsten herumwälzen. Ich werde es lange zulassen und still dabei sein. Aber wenn seine Leibes- und Seelenkräfte erschlafft sind und er in Verachtung steht, dann erst will ich mein Haupt emporheben, ihm mich meiner Größe zeigen und dann—

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16 Cf. Hegel (1989) 37: "Aber ein Brutus, ein Cassius, ist weit über die Sphäre des Pöbels erhaben".

17 Cf. Hegel (1989) 38: "bei dem niedrigen Pöbel ist es mit wenig Worten, etwas Getreide und öffentlichen Schauspielen geschehen".

18 Cf. *ibidem*: "sollen wir diesen unfruchtbaren Kopf einst an der Beherrschung der Welt Teil nehmen lassen?".

aut Caesar, aut nihil. Entweder soll er sich vor mir im Staub demüthigen, oder ich werde den Tod einem schmachvollen Leben vorziehen![19]

As it can be seen, the typically republican vocabulary of rebellion against subjugation and slavery is distorted by the future Augustus: the actual purpose of his opposition to Antonius is not the preservation of the *libera respublica Romanorum*, but the dream of becoming himself a *Princeps*, an idea summarized in the sentence "either Caesar or nothing", taken probably from Cesare Borgia's words in Herder's third *Gesrpräch* of *Ueber die Seelewanderung*.[20] The conspiracy of the three future *triumviri* lacks any ideological basis and political legitimacy, as it is presented as a mere fight for the absolute power, in which the main victim is a republican free Roman citizenship deeply admired by Hegel.

After having seen the content of the *Unterredung*, the sources that inspire it should be enquired. The first influence is clearly Schiller's *Fiesko*, a play set in the Renaissance Genua, under the rule of the Doria family, and therefore apparently disconnected—at least from a strictly historical point of view—from the Roman world. The drama, written in 1783, just one year before the *Unterredung zwischen Dreien*, is entitled *Die Verschwörung des Fiesco zu Genua. Ein republikanischer Trauerspiel*.[21] We know from Rosenkranz[22] that Hegel wrote an analysis of this play, which unfortunately hasn't arrived to us, in 1786. Nevertheless, many scholars believe that this play was probably read by the young Hegel two years before, at the beginning of the *Gymnasium*, for the reason that it had been dedicated by Schiller to one of the most important and influential professors in Stuttgart and successively in Tübingen, Jacob Friedrich Abel,[23]

19 Hegel (1989) 39. English translation (partially modified) from Stewart (2002) 6: "Yet in me he will find no Lepidus! My unslavish neck is not accustomed to bend under the defamatory glances of a ruler. He will toss about in voluptuousness. I will quietly tolerate it for a long time. Only when his physical and mental faculties have slackened and he encounters disdain, will I want to raise my head and unveil to him my true dimensions. *Aut Caesar aut nihil!* Either he will humble himself before me in the dust, or I shall prefer death to an ignominious life".

20 At least, according to the editors of the first volumen of *Gesammelte Werke*. Cf. Hegel (1989) 548–549.

21 For an excellent interpretation of this play cf. Graham (1974) 9–44.

22 Cf. Rosenkranz (1977) 13, "Eine Sammlung von *Stammbuchsentenzen* 1786 und *witzigen Pointen* von schalkhafter Laune, wie Hegel sie immer geliebt hat, ist auch hieher zu rechnen.—Ein Fragment versucht eine Analyse des republicanischen Trauerspiels *Fiesko*".

23 Ripalda (1978) 136, in nota. "El propio Hegel, en una entrada del *Diario* del 14 de julio de 1785, anota: "Herr Professor Abel und Herr Professor Hopf beehrten unsere Gesellschaft vorgestern mit einem Besuch. Wir gingen mit Ihnen (!) spazieren, wo sie uns besonders

a crucial mediator in many intellectual influences during the *Spätaufklärung*. The story of the count of Lavagna written by Schiller inspired the text of the young Hegel in many aspects. First of all, because it presents the development of a republican conspiracy to overthrow a tyrant, in this case the Doria family, and therefore it contains the theme of a political intrigue within a republican context.

The second relevant connection between this drama and Hegel's *Unterredung* is the frequency of explicit references to Roman history, starting with the quote from Sallustius about Catilina that opens the *Vorrede* [text 6]: "*nam id facinus in primis ego memorabile existimo sceleris atque periculi novitate*".[24] The republican vocabulary used here is the same that can be found in Roman historians, as Tacitus or the aforementioned Sallustius or in poets as Lucan; but it is also the same that will be appropriated by the French Revolution a few years after. If both Schiller and the revolutionaries needed to turn to the classical roman vocabulary to describe a republican ideology in the 16th or the 18th Century, is because no other example of this political discourse and terminology except the Roman was available.

In addition to Schiller's *Fiesko*, the other essential literary source of Hegel's first text, especially for its content and characters, is Shakespeare's *Julius Caesar*.[25] Hegel started reading Shakespeare when he was very young, thanks to Professor Löffler's influence. At the end of the commemorative text Hegel wrote in his diary after Löffler's death, we find an important piece of information about the contact of the young student with the Erschenburg translation of Shakespeare's works.[26] Shakespeare's writings had already been praised by the main personalities of the *Spätaufklärung* and the *Sturm und Drang*, such as Goethe, Wieland, Herder or Lessing.[27] Among all his dramas, the *Julius Caesar* was probably one of the most striking for Hegel, who as we have seen was

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von Wien unterhielten" (Cf. Hoffmeister, J., op. cit., pág. 15). El punto de exclamación nos hace pensar en la gran admiración que el joven Hegel tenía hacia estos profesores, pues consideraba un honor y un privilegio incluso tan sólo poder pasear con ellos".

24 Schiller (2006) 3.

25 Cf. Tassi (1999) 42: "l'esercitazione è sorretta da riferimenti classici (Plutarco) e shakespeariani. Questi ultimi sono in buona parte ricavati dal terzo atto del *Giulio Cesare*".

26 Cf. Hegel (1989) 8: "Dies muß ich hinzufügen, daß er mir XVIII Bände von *Shakespeare*'s Shauspielen schon 1778 zum geschenk machte".

27 Cf. Rühle (1997) 41: "el ideal del 'narrador, poeta, creador' genial fue, para la generación del *Sturm und Drang*, Shakespeare, cuyos dramas, ya en los años sesenta, y en contra de los dramas atenidos a la preceptiva clásica (dramas que se habían petrificado en una dogmatización de la poética aristotélica), habían hecho valer Wieland y Lessing. Para los hombres del *Sturm und Drang*, Shakespeare fue absolutamente el ideal de genio

already very familiar with its classical sources, namely Plutarch, Tacitus and Lucan,[28] very influential in establishing many symbols of the Republican and Revolutionary ideology at the end of the 18th Century: one very evident example, that can be found also in Shakespeare's drama, is the idea of a spiritual connexions between the two Brutus, the founder and the last defender of the Roman republic.

The similarity between the *Unterredung* and certain parts of the *Julius Caesar* is very clear, especially if we focus on the first Scene of the fourth Act. In these two pages of Shakespeare's text we find the same characters Hegel will choose: Octavius, Antonius and Lepidus. Additional common elements such as Antonius' disregard for Lepidus or the defence of this "brave soldier" by the future Augustus can also be found, with words very similar indeed to those already seen in the *Unterredung*. Shakespeare also subtly suggests the possibility of future disputes among the *triumviri*.

But if this is so, it may be asked if the *Unterredung* should not be considered a mere imitation of two dramas, the *Fiesko* and the *Julius Caesar*, written by a fifteen-years-old student fascinated by histories of intrigues and conspiracies and therefore lacking any originality or philosophical interest. Against this objection it may be argued that, even if we admitted that Hegel merely combined what he read in Schiller and Shakespeare without adding any personal significant element, this document would have still been useful for reconstructing crucial literary influences about his vision of Rome in the Stuttgart period. However, if the content of the *Unterredung* is analysed in comparison to the *Fiesko* and the *Julius Caesar*, a fundamental difference may be found, showing a great originality in Hegel's conception of the Roman history. In fact, neither in Schiller nor in Shakespeare's plays we see a clear preference for one of the sides of the Roman civil wars at the end of the Republic. In the *Julius Caesar* we find an enthusiastic praise both to Brutus and to the great general after whom the play is entitled. The same happens in the *Fiesko*, where some commenters have remarked the fact that the tyrants—especially Andreas Doria—are depicted with an aura of majesty and sublimity completely absent in the description of the republican rebels Sacco, Calcagno, Borgognino and even Fiesco, as they all

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prometeico, al que dotaron de atributos divinos. [...] Junto con las ideas de Lenz sobre el teatro, que tanto se anticipaban a su tiempo, la carta abierta de Goethe 'En el día de Shakespeare' (1771) y la composición de Herder 'Shakespeare' son los documentos más demostrativos de la reverencia por Shakespeare que caracterizó a los protagonistas del *Sturm und Drang*. La estatura colosal del genio de Shakespeare fue su ideal y la garantía de que era posible realizar sus ambiciosos sueños".

28 Cf. Bullough (1977) 3–214.

join Verrina in the conspiracy for personal and egoistic purposes; more concretely, in the case of the main character, for taking the power as new Duke of Genua.

The young Hegel, almost as if he wanted to alter the political balance between the two opposing sides, takes in his text a standpoint clearly favourable to the republican heroes, and at the same time he destroys that appearance of grandeur that the triumviri—and particularly Octavius—had in the *Julius Caesar*; in fact, Shakespeare makes it clear that the action of the three conspirators is morally justified as a revenge against Caesar's murder. In addition to this, the very end of the play is reserved for Antonius and Octavius, depicted as pious and magnanimous towards Brutus' dead body.

> ANTONIUS:
> This was the noblest Roman of them all:
> All the conspirators save only he
> Did that they did in envy of great Caesar;
> He only, in a general honest thought
> And common good to all, made one of them.
> His life was gentle, and the elements
> So mix'd in him that Nature might stand up
> And say to all the world 'This was a man!'
>
> OCTAVIUS:
> According to his virtue let us use him,
> With all respect and rites of burial.
> Within my tent his bones to-night shall lie,
> Most like a soldier, order'd honourably.
> So call the field to rest; and let's away,
> To part the glories of this happy day.[29]

In contrast with this scene, as we have already seen, Hegel stresses in his text Antonius' contempt against Brutus, and presents Octavius, in his final monologue, as an insincere, arrogant and cynical politician who lacks any ideological motivation, as he only aspires to a personal and absolute power. In addition to this, if Shakespeare only vaguely suggested in his play the future dispute among the three triumviri, Hegel makes of these controversies the thematic core of his text, in order to stress *sub contrario*, through the description of plots

29 Cf. Shakespeare (2008) 888–889.

and revenges (themes taken from Schiller's *Fiesko*), the moral corruption of the defeaters of the republican side.

Therefore, distancing himself from any possible political ambiguity or indifference, Hegel symbolically sides with the republican heroes, showing in this way his full admiration towards the pre-imperial Rome and its rejection against its subsequent corruption in the forms of *Principatus* and *Dominatus*. This love for the free and virtuous republican citizenship, so strong in Hegel that it moved him to rewrite and in a certain sense to correct Shakespeare's *Julius Caesar*, came from a very important source, probably the most decisive in Hegel's youth. Jean Jacques Rousseau[30] spread all over Europe an endless admiration towards Rome and Sparta, the political models of the French Revolution and also of many philosophers and men of letters of that period.[31] As we will see, Hegel was no exception to this, as the influence of Rousseau—together with Gibbon and Montesquieu—in creating a certain image of Rome, at least until the end of the Century, was crucial indeed. With the transition from Hegel's education in Stuttgart and Tübingen to his work as private preceptor in Bern and Frankurt, his vision of Rome comes increasingly from purely philosophical sources. Nevertheless, it should be stressed that in these conceptual approaches he found the same enthusiasm towards the Republican regime he had read before mostly in literary and historical texts.

3 Bern and Frankfurt: Rome and the *libertas*

It is perhaps in the *Positivität der christlichen Religion* and more concretely in its *Zusätze*, written in 1796, where we find the strongest influence of Rousseau in Hegel, and particularly in its vigorous admiration towards the ancient republican freedom, and especially towards the Roman *libertas*; actually, although Greeks and Romans are the indistinct object of Hegel's analysis in the majority of the *Positivität*—in some passages he writes explicitly about the *urbs aeterna*.

> Das freye Rom, das eine Menge Staaten, die in Asien früher, gegen Abend später ihre Freiheit verlohren hatten, sich unterworfen, und einige wenige noch freie zerstört hatte, denn diese hätten sich nicht unterjochen laßen—der Siegerin der Welt blieb allein die Ehre, wenigstens die lezte

30 For an analysis of the influence of Rousseau's work in the Hegelian conception of the *Romanitas* and the *Volksreligion*, cf. Rocco Lozano (2014).

31 Cf. Gabilondo (1996).

> zu seyn, die ihre Freiheit verlohr. Die griechische und römische Religion war nur eine Religion für freye Völker.[32]

This text is very important for many reasons: firstly, because it clearly expresses the admiration towards the republican regime, being Rome almost the epitome of freedom, to the extent that it is defined, with conviction, "the free". However, the text also criticizes the military expansionism which, departing from ideas of freedom, culminates with its total suppression, cancelling even the very republican *libertas*, turned into despotism when, with the transition from the Republic to the Empire, the whole world was Roman.

According to the equation which ruled the cultural context of these years, we can suppose that Hegel made here an implicit mention to the French Revolution: born from a noble idea of freedom, it ultimately subjugates the neighbour peoples and represses its internal factions. We should not forget that in 1796 we are right in the middle of the Directory phase. This is the year of the harshly repressed *Conspiracy of equals* prepared by *Caius Gracchus* Babeuf,[33] as well as of important military campaigns, especially in Italy. In this context, it doesn't seem unlikely that, through this example taken from Roman history, Hegel wanted to praise the ideological principles of the *République*, especially present in the works of Rousseau, while on the other hand he was alerting about the possible degeneration of a movement born with the pursuit of freedom, but that could eventually finish suppressing it both *ad intra* and *ad extra*.

As we have already seen, religion is the second fundamental pole of Hegel's thought during Bern and Frankfurt phases. More precisely, a certain conception of *Volksreligion* becomes the closing moment, the welding of deep demergers which neither Kant nor Fichte had been able to deal with.[34] One of the main

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32 Hegel (1989) 367: "Rome, the free, had subjugated many states that, firstly in the East, then in the West, lost their freedom; some of them, still free, were destroyed because they didn't want to surrender. However, the conqueror of the world had just one privilege: the honor to be the last one to lose its freedom" (tr. VRL).

33 According to the editors of Hegel (1989) 500, the manuscript was probably written in June 1796, while the conspiracy against the Directoire was discovered the 10th of May of the same year, probably due to the treason by Fouché.

34 Cf. Duque (1998) 337–338: "Bien se ve que, de este modo, [Schelling] no hace sino peraltar hiperplatónicamente la escisión entre lo sensible y lo inteligible, lo relativo y lo Absoluto en lugar de restañar la herida. En suma—viendo el tema con ojos 'hegelianos'—, ni Fichte ni Schelling han resuelto *el* problema de Spinoza y Kant (y de la metafísica moderna en general): la *absoluta conciliación de libertad y necesidad* (metafísicamente hablando, de Dios, el Alma o el Hombre, y el Mundo: las tres ideas kantianas). Pues bien, Hegel presenta a la *religión* como el lugar privilegiado en que esa protoescisión puede ser restañada:

features of his conception of religion during these years is its eminently subjective and sensitive character; the basis of the *religatio* between God and the finite spirit is the *Empfindung*, the cordial intuition, which doesn't mean that religion should be understood as irrational.[35] Bearing in mind the idea that a deep social transformation was needed in Germany, Hegel insisted not only on the intersubjective character of the sensitive religion, but also on its *national* basis (in the broad sense of the *Deutsche Nation*, not in a "nationalist" or a "state" sense).[36]

For these reasons, the worst enemy for the political, religious and pedagogical project of young Hegel's *Volksreligion* is a kind of religion which proves to be objective, external, expressed by a cold theology disconnected from people's cultural basis: a *positive* religion. Therefore, in these years strong criticisms are raised against Judaism and Christianity. Against these anti-models, Hegel needs to suggest an example of his own "total religion"; "total", in a double sense, as on one hand it recovers the wounded *entirety* and, as on the other hand it covers every sphere of public and private life. Not surprisingly, this model comes from the classical Antiquity, particularly from the Roman history. By following this conceptual movement we can see the influence of decisive authors of these years, such as Gibbon[37] and Montesquieu.[38]

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sólo en la religión habla el Espíritu (divino) al espíritu finito a través de la abnegación y sacrificio de la Naturaleza".

35 Duque (1989) 339: "muy al contrario, está basada (todas las confesiones, con mayor o menor grado de pureza, lo están) en ciertos principios fundamentales de la razón práctica. [...] La razón actúa difusamente a través de nuestras propias inclinaciones e impulsos".

36 For the importance of Hegel's reaction against the teutomaniac and nationalistic movements in Germany (especially after the *Demagogenverfolgung*), cf. Losurdo (1999).

37 Cf. Gibbon (1986). For the mutual degeneration between Rome and Christianity, many texts by the young Hegel show the double (and in a sense contradictory) influence of Montesquieu and Gibbon: "Die christliche Religion wurde herabgewürdigt, eine Helferin, Bemäntlerin vieler Schandtaten Konstantins und seiner Söhne zu sein [...] Revolution der Einbildungskraft in Ansehung des Kreuzes Gibbon [...] Die christliche Religion war unter den römischen Kaisern nicht fähig, dem Verfall jeder Tugend, der Unterdrückung der Freiheit und der Rechte der Römer, der Tyrannei und Grausamkeit der Regenten, dem Verfall des Genius und aller schönen Künste—aller gründlichen Wissenschaften einen Damm entgegenzusetzen—dem gesunkenen Mut, jedem verdorrten Zweige von Nationaltugend und Nationalglückseligkeit Leben wieder zu geben—sondern von dieser allgemeinen Pest selbst angefressen, vergiftet, und in dieser verzerrten Gestalt mit ihren Dienern ein Werkzeug des Despotismus, brachte sie den Verfall der Künste und Wissenschaften—die leidende Geduld bei Zertretung jeder schönen Blüte der Menschlichkeit, der Humanität und Freiheit" (Hegel (1989) 201–202). See also: "die zwar bei einer kleinen

4 Rome at the End of the Frankfurt Period

It seems very interesting to compare this conception of Roman world in contrast to Christianity to what we can find some years later, around 1800. In a schematic way, the notion of Roman citizenship means now mainly the imperial oppression and despotism, and not anymore the virtuous republican freedom. Its role has completely changed in the conceptual frame of the explanation of the irruption of Christianity: in the *Positivität* and other works, Hegel emphasized the destructive role of this new religion against the harmonious and beautiful Greek and Roman *Sittlichkeit*. Therefore, at that time we found

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Gesellschaft von Sektengläubigen angemessen, erlaubt und für sie zweckmäßig sind, die aber, sobald die Gesellschaft, ihr Glauben ausgebreiteter, ja allgemein in einem Staate wird, teils nicht mehr angemessen bleiben oder, wenn sie doch beibehalten werden, einen anderen Sinn bekommen, teils wirklich ungerecht und unterdrückend werden. Bloß aus dem Grunde, daß auch die Anzahl der Christen sich mehrte, zuletzt alle Bürger des Staates umfaßte, wurden Anordnungen und Anstalten, die niemandes Rechte kränkten, als die Gesellschaft noch klein war, zu Staats- und Bürgerpflichten, die es nie werden konnten" (Hegel (1989) 298).

38 Cf. Montesquieu (1995). For the Montequieu's explicit influence in Hegel cf. these passages: "An der Mythologie der Griechen stöst sich unsre Phantasie nicht, wir folgen gern Homern wenn seine Götter im Himmel herumfahren, Rath halten, sich bekriegen und ihren menschlichen Leidenschaften—die Andacht der betenden und opfernden ist uns heilig—Selbst ihre barbarischen Gewohnheiten, Menschenopfer u. drgl. waren allgemeiner Volksglaube, auf Herkommen und Phantasie gegründet, hingegen Grausamkeiten der Inquisition, Untoleranz aller Art ist nicht Sache der Phantasie, durch Alterthum geheiligtes Herkommen, sondern es soll auf Rechten gründen, die Befugniß dazu durch ewig alte und ewig neue Gründe der Vernunft bewiesen werden" (Hegel [1989] 197–198). See also: "In einer Republik ist es eine Idee, für die man lebt, in Monarchien [lebt man] immer fürs Einzelne; in diesen können die Menschen doch nicht ohne eine Idee seyn, sie machen [deshalb] auch eine einzelne Idee, ein Ideal—dort eine Idee, wie es seyn soll; hier ein Ideal, das ist, das sie selten selbst geschaffen haben, die Gottheit. Der große Geist in der Republik wendet alle seine Kräfte, physische und moralische, an seine Idee, sein ganzer Wirkungskreis hat Einheit,—der fromme Christ, der sich dem Dienst seines Ideals ganz weiht, ist ein mystischer Schwärmer; füllt ihn sein Ideal ganz aus, kan er sich nicht theilen zwischen dieses und seinen weltlichen Wirkungskrais und treibt alle seine Kräfte nach jener Seite, so wird eine Guyon—die Fo[r]derungen, das Ideal anzuschauen, wird die überspannte Einbildungskraft befriedigen, und auch die Sinnlichkeit behauptet ihre Rechte; Beispiele die unzähligen Mönche und Nonnen, die mit Jesu liebelten und ihn zu umarmen glaubten—die Idee des Republikaners ist von der Art, daß alle seine edelsten Kräfte ihre Befriedigung in wahrer Arbeit finden, da die des Schwärmers nur die Täuschungen der einbildungskraft [ist]" (Hegel (1989) 203).

mainly the Rousseaunian features of Roman *virtus*, *pietas* and *libertas*, defined in an autonomous and positive way. By contrast now, at the end of the Frankfurt period, Hegel is attempting to extrapolate to his time the general context where the revolution of Christianity took place, as he expects an imminent political revolution, but with a strong moral basis, in Germany. In this context, Rome has become a synonym for the lack of inner and external freedom, against which Jesus reacted with his preaching, still insufficient though, because limited to the inner sphere of the hearts.

This change in the symbolic and conceptual role played by Rome entails new similarities with the French political situation, a new parallelism between ancient and modern citizenship: if in Bern the *libera respublica Romanorum* was connected to the acclaimed and young *République*, in Frankfurt the Roman Empire functions as a precedent not only of that *Ancien Régime* which was overthrown by the Revolution in 1789; it is connected also and mostly to the Revolution *itself*, considered in its mechanical, violent, oppressive and expansionist shape which was more and more evident to Hegel as the 18 *Brumaire*[39] was approaching. From now on, the notions of abstraction and formalism will bind together Rome and French Revolution.

This radical change in the symbolic and historical connections between Rome and France is due to three factors deeply inter-connected to each other: firstly, the change of influences, from the authority of Rousseau in the previous years to the new, decisive readings of Gibbon and especially of the *Minerva* authors (such as Nicolas de Bonneville,[40] the count of Volney[41] and Rabaut de Saint-Etienne[42]) very close to revolutionary ideals but nevertheless very stern against the ancient Rome. Secondly, we should insist once more on the political and military events of the Revolution itself, which showed an increasing inadequacy between the noble principles that inspired it and its destructive effects. Finally, we have to mention the general negative reaction in German cultural and political circles against this development of the revolutionary events.

Despite this transformation in the conceptual bond between Rome and the Revolution, we have to emphasize that at each step of this development from a pole to the other, the *Romanitas* is—according to Hegel—unbreakably linked

39 Cf. Harris (1972) xxxi: "The material conditions for the realization of Hegel's dream perished at the hands of Napoleon. I believe that the triumph of Napoleon within France itself convinced Hegel, soon after the turn of the century, that the revolution was not going to take the course that he and his friends had assumed".

40 Bonneville (1792).

41 Volney (1792).

42 Rabaut de Saint-Étienne (1792).

to France. This strong bond is totally in line with the connection between these two conceptual poles established by a whole generation, and not only in Germany. For Hegel and almost for everyone during these years, France and the ancient Rome are taken as one, both in praise as in criticism.

Finally, we can conclude by saying that at the end of the Frankfurt period, the conceptual role of the Roman citizenship according to Hegel is not anymore that republican subjective model in the context of an *organic social totality* that we find in Stuttgart works, as Rome becomes a symbol of the *despotic power* in the hands of one man over a mechanical crowd[43] of atomized individuals. This transition takes place before the Jena period, and is crucial because it will deeply influence Hegel's subsequent production, especially the *Phänomenologie*.[44]

The purpose of this paper has been to show and to explain this development of the idea of Roman citizenship in Hegel's thought through the analysis of the main literary and philosophical influences and historical conditions which caused it, drawing a specific conceptual constellation, the Hegelian *Romanitas*, that since the end of the Frankfurt period can be found almost unchanged in every work until the Berlin period.

Bibliography

Bonacina, G. 1991. *Hegel, il mondo romano e la storiografia. Rapporti agrari, Cristianesimo e tardo antico*. Firenze.

Bonneville, N. de. 1792. Die Freyen Weltbürger. Ein Fragment. *Minerva. Ein Journal historisches und politisches Inhalts* 3: 1–8.

Bullough, G. ed. 1977. *Narrative and Dramatic Sources of Shakespeare*, vol. v. London.

Buso, E. 2002. *L'interpretazione hegeliana del diritto romano: genesi e aporie del giuridico*, Diss., Padova.

Duque, F. 1996. El corazón del pueblo. La "religión" del Hegel de Berna. In *El inicio del idealismo alemán*, eds. O. Market, and J. Rivera de Rosales, 237–262. Madrid.

Duque, F. 1998. *Historia de la filosofía moderna. La era de la Crítica*. Madrid.

Gabilondo, Á. 1996. El árbol de la Libertad y la Guillotina: Hegel y la Revolución Francesa. *Contextos* 27–28: 253–268.

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43 Cf. Ripalda (1978) 259: "Tal es, sigue Hegel, el estado del Imperio Romano, que aplastó las bellas individualidades de los pueblos mediterráneos, destruyó su ética colectiva y sólo dejó subsistir las individualidades aisladas bajo el despotismo de la abstracta individualidad imperial".

44 Cf. Rocco Lozano (2012).

Gibbon, E. 1986. *The Decline and Fall of Roman Empire*. London-New York. First edition 1776.

Graham, I. 1974, *Schiller's Drama: Talent and Integrity*. London.

Guinle, J.-P. 1981. Hegel et le droit romain. *Revue historique de droit français et étranger* 59: 593–619.

Harris, H.S. 1972. *Hegel's Development*. Oxford.

Hegel, G.W.F. 1980. *Phänomenologie des Geistes*. In *Gesammelte Werke*, Band 9, eds. W. Bonsiepen und R. Heede. Hamburg.

Hegel, G.W.F. 1989. *Frühe Schriften I*, in *Gesammelte Werke*, Band 1, eds. F. Nicolin und G. Schüler. Hamburg.

Hegel, G.W.F. 1991. *Frühe Exzerpte*, in *Gesammelte Werke*, Band 3, unter Mitarbeit von G. Schüler, ed. F. Nicolin. Hamburg.

Illetterati, L. and A. Moretto, eds. 2004. *Hegel, Heidegger e la questione della Romanitas*. Roma.

Losurdo, D. 1999. *Hegel e la Germania*. Napoli.

Montesquieu, C.L. de Secondat, baron de La Brède et de. 1995. *Considérations sur les causes de la grandeur des romains et de leur décadence*. Napoli-Paris. First edition 1734.

Pozzo, R. 1989. *Hegel: 'Introductio in philosophiam'*. Firenze.

Rabaut de Saint-Étienne, G.P. 1792. Bemerkungen über den Zustand Frankreichs unter den Regierungen der Könige Ludwig XIV und Ludwig XV. *Minerva. Ein Journal historisches und politisches Inhalts* 1: 560–565.

Ripalda, J.M. 1978. *La nación dividida*, México DF.

Rocco Lozano, V. 2011. *Función y estructura del mundo romano en la filosofía hegeliana*. Diss. Madrid. [= Rocco Lozano (2011a)]

Rocco Lozano, V. 2011. *La vieja Roma en el joven Hegel*. Madrid. [= Rocco Lozano (2011b)]

Rocco Lozano, V. 2012. Filosofia e diritto romano all'alba di un nuovo mondo, in: *Diritto e storia in Kant e Hegel*, eds. V. Rocco Lozano and M. Sgarbi, 149–176. Trento.

Rocco Lozano, V. 2014. La tensión entre Romanitas y cristianismo en Rousseau y su influencia en el joven Hegel. In *El legado de Rousseau*, eds. J. López and A. Campillo, 223–234. Murcia.

Rosenkranz, K. 1977. *Hegels Leben*. Darmstadt.

Rühle, V. 1997. *En los laberintos del autoconocimiento: el* Sturm und Drang *y la Ilustración alemana*. Madrid.

Salgado, J.C. and J.L. Borges Horta, eds. 2010. *Hegel, liberdade e Estado*. Belo Horizonte.

Schiller, F. 2006. *Die Verschwörung des Fiesco zu Genua*. Stuttgart.

Shakespeare, W. 2008. Julius Caesar. In *Teatro Completo*, ed. Á.-L. Pujante. Madrid.

Sheplyakova, T. 2011. *Öffentliche Freiheit und Individualität. Das moralisch-juridische Modell politischer Kultur und die Frage nach Sozialität im Anschluss an Hegel*. Diss. Frankfurt.

Sichirollo, L. 1974. Sur Hegel et le monde grec. In *Hegel et la pensée grecque*, ed. J. D'Hondt, 159–183. Paris.

Stewart, J.B., ed. 2002. *Miscellaneous Writings of G.W.F. Hegel*. Evanston.

Taminiaux, J. 1967. *La nostalgie de la Grèce á l'aube de l'idéalisme allemande*. Den Haag.

Tassi, A. 1996. *G.W.F. Hegel e gli anni di Stuttgart e Tübingen*. Milano.

Villey, M. 1975. Das Römische Recht in Hegels Rechtsphilosophie. In *Materialien zu Hegels Rechtsphilosophie*, ed. M. Riedel, 131–151. Frankfurt.

Volney, C.-F. Chasseboeuf de La Giraudais, comte de. 1792. Die Ruinen. Ein Fragment. *Minerva. Ein Journal historisches und politisches Inhalts* 1: 47–60.

CHAPTER 12

The Idea of Cosmopolitanism from Its Origins to the 21st Century

Anna Busetto

A volume on the notion of citizenship cannot fail to address, even briefly, the "broader" and super-nationalistic typology of a topic as cosmopolitanism. This concept seems to be the most authentic exponent of our age of globalization, aimed at dissolving the boundaries that define nation-states. But the massive dissemination of the word has banalized its meaning to such an extent that the richness and complexity of the term in philosophical and political discourse for over two thousand years has faded at times.[1] In fact, the etymological and conceptual roots of cosmopolitanism in the Classical Greek and Hellenistic world—as well as through centuries of Western thought and civilization—are so deep that the term has become an excellent tool for connecting distant periods and mentalities, each of which has invested the concept with its own perceptual paradigms of "world citizenship."

For this reason, retracing the history of the notion of "cosmopolitanism" through time may contribute to the current effort of Western culture to examine itself introspectively.[2] This is the spirit in which I offer the present contribution, which does not attempt to be a complete and exhaustive discussion of the topic, prohibited by reasons of space and unadvisable for reasons of intellectual honesty. Instead, I have chosen to present an overview of the history of the concept from its origins to the present. Insofar as the contemporary period is concerned, I shall limit myself to charting the myriad directions in which a commentary on the notion of cosmopolitanism quickly branches out.

I knowingly reject any attempt to draw definitive conclusions here: rather than present univocal answers and interpretive strategies, I prefer to suggest some points to consider for further reflection and research by revealing the underpinnings of new research. The inquisitive reader may pursue these avenues in more depth, using the rich bibliography that has appeared in the past

1 See Beck (2006) 40–44 (*How everyday life is becoming cosmopolitan: banal cosmopolitanism*).

2 I share Scuccimara's ([2006] 7) position.

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ten years which evinces the lively attention given to cosmopolitanism by the social sciences.[3]

The first clearly-stated reference in Western civilization to an idealized and borderless existence is found in a fragment of Democritus of Abdera: ἀνδρὶ σοφῶι πᾶσα γῆ βατή· ψυχῆς γὰρ ἀγαθῆς πατρὶς ὁ ξύμπας κόσμος[4] (fr. 247 D.-K.). Such a statement crystalizes an aspiration to transcend the traditional boundaries of state (and therefore of identity) imposed by the polis and affirms the early stage of an egalitarian conception of humankind based on principles of wisdom and goodness. These concepts are echoed in contemporaneous philosophical thought and literary production, testifying to the spread in 5th-century BC Greece of a shared desire for cultural, social, and political openness that coincides with an intellectual departure from the traditional order of the polis[5] and a new polemical redefinition of the concepts of "citizen" and "foreigner."[6]

It is with Post-Socratic philosophy, however, that this perception is first expanded theoretically[7] and then condensed into the word κοσμοπολίτης coined by Diogenes of Sinope, the founder of Cynicism, who scandalized his contemporaries with his eccentric way of living and provocative attitudes (so much so that Plato described him as "a completely deranged Socrates"[8]). Diogenes Laertius narrates in his biography that when asked about his own origin, he appositely declared that he was a "citizen of the world."[9] In this neologism (which must have already seemed quite subversive, given that the *polites* was by defini-

3 Among the most recent monographs on the subject, besides Scuccimarra (2006) and Beck (2006), also see Taraborrelli 2011 (hereafter referred to in the recent English edition: Taraborrelli [2015]); Rovisco—Nowicka (2011). With regard to ancient world, a quite accurate overview is offered by Richter (2011), while the miscellany edited by Lavan—Payne—Weisweiler (2016) focuses on the relationship between cosmopolitanism and imperial power in the Near East and Mediterranean. Also see the bibliography cited throughout this article.

4 "Every country on earth is the domain of the wise man, because the homeland of a good soul is the entire universe." For a general discussion of Greek and Latin cosmopolitanism, see Konstan (2009).

5 Cf. for instance Anaxag. test. 1 D.-K. (= Diog. Laert. 2.7), Antiph. Soph. fr. 5 Gernet; Soph. *Tereus* fr. 591 Radt; Eur. *Alex.* fr. 61b Kannicht; even Socrates, according to Cic. *Tusc.* 5.108 considered himself *mundanus* (but on the critical fortune of this anecdote see Heater [1996], 6–7). On Greek "cosmopolitanism" before cynicism see Baldry (1965) 37–45; Lana (1973).

6 On the "Socratic paradox" of feeling like a stranger in one's own country—a topic with a vast bibliography—Scuccimarra (2006) 31–37 and its appended bibliography.

7 Cf. for instance Aristotle's "intercultural" speculation in Nussbaum (1997) 55–56.

8 Diog. Laert. 6.54 Σωκράτης μαινόμενος.

9 Diog. Laert. 6.63 ἐρωτηθεὶς πόθεν εἴη, "κοσμοπολίτης," ἔφη.

tion a member of the polis), Diogenes both conflates his intention of denying his own exclusive membership in a restricted civic, political and geographic community—asserting that social ties and the bonds of citizenship were not conducive to subjective goodness—and connotes his own more universal aspirations and interests. Consequently, cynical cosmopolitanism should be understood as indifference and intolerance in relation to the traditional communitarian bonds represented by family, property, and citizenship: as an idealistic vision, it was "individualistic and dissociative, and did not look to the unity of mankind".[10]

Thanks to Alexander the Great's universal project that forever changed the Greek way of seeing the world, the notion of "citizen of the world" was also assimilated by Stoicism. However, this school "mitigated" the term and made it more compatible with civic life as a paradigm of one's acceptance of every individual as a fellow citizen, by virtue of the communality of universal *Logos* based on a natural law.[11]

The concept was transferred from the Greek to the Roman world where Cicero was its first significant interpreter. In *De officiis*, he transforms the notion into a veritable code of ethics, classifying the typology of duties to others[12] and thereby transforming the historical sense of "universal brotherhood" from a moral to a legal obligation. Elsewhere, in the *Tusculanae disputationes*, Cicero proclaims that *patria est ubicumque est bene*,[13] in a re-working of the earlier Epicurean dictum that now becomes the banner cry of the socio-political "apology for socio-political de-racination."[14]

The condition of the stateless person and the concept of "freedom in exile" became especially widespread during the dark days of political and moral crisis in the imperial age, taking the form of a proud refusal of servitude confined

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10 Sinclair (1952) 251. On cosmopolitan cynicism, also see Moles (1996).

11 Cf. for example Chrys. fr. 336–337 (*SVF* III), which illustrate a vision of cosmopolitanism based on the relationship between νόμος and φύσις.

12 In *off.* 1.20–21 Cicero distinguishes the duties of *iustitia*, grounded in a respect for all human beings and their possessions, from the duties of *beneficentia*, based on a commitment to the good of others. His discussion will particularly influence the discussion of "the just war" of 17th-c. natural law (especially for Hugo Grotius) and Immanuel Kant's politico-legal and ethical cosmopolitanism: cf. Nussbaum (1997) 59, Taraborrelli (2015) XI–XII and (for a general discussion of the "cosmopolitanism" of the Latin philosophers Cicero and Seneca), Scuccimarra (2006) 60–80, and its ample bibliography. Seneca will also theorize a brand of "philanthropic universalism" that finds its fullest expression in *homo res sacra homini* (*epist.* 95.33; cf. also *ira* 2.31.7).

13 Cic. *Tusc.* 5.108.

14 This expression is a translation of the one which can be found in Scuccimarra (2006) 70.

to one's country. In *epist.* 28.4, Seneca declares that one ought to live with the following conviction: *non sum uni angulo natus, patria mea totus hic mundus est.*[15] Committed to following a path of spiritual perfection, the philosopher could find everywhere substance that could give meaning to his existence: *natura communis et propria virtus.*[16] Later, the Emperor Marcus Aurelius would confirm this thought in the famous maxim Πόλις καὶ πατρὶς ὡς μὲν Ἀντωνίνῳ μοι ἡ Ῥώμη, ὡς δὲ ἀνθρώπῳ ὁ κόσμος.[17]

The Stoic ideal of *civitas universalis*, which will be politically embodied a few decades later in the *Constitutio Antoniniana* in 212,[18] is also echoed in Christian thought,[19] which assembles all men into one community by the possibility of receiving salvation through true faith and which preaches the extraneousness to the Christian of any terrestrial roots.[20]

The principle of the unity of the Christian community (that could be summarized in the words of Saint Augustine *omnium enim christianorum una respublica est*)[21] is the basic ideological and dogmatic premise of medieval Europe. Nevertheless, the ongoing vacillation of the center of power between papacy and empire and the transformation of the individual into a subject caused this consideration to hinge itself more on the notion of "global state" than "citizen of the world": there was a shift from the level of subjective action to that of forms of power. Dante Alighieri's *De Monarchia* is emblematic of this shift, proposing a political model of "world order" that should concern all humanity and would integrate and oversee systems of local government through a universal monarch.[22] Consequently, although Dante "dreamed a

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15 "I was not born to be attached to only one place. My homeland is the entire universe." Cf. also Sen. *Helv.* 9.7 *Num dubitas quin se ille* [*Marcellus*] *tantus vir sic ad tolerandum aequo animo exilium saepe adhortatus sit: "quod patria cares, non est miserum: ita te disciplinis inbuisti ut scires omnem locum sapienti viro patriam esse* […]*"*. ("That man [Marcellus] – would you doubt it? –, such a great man, would often urge himself to endure exile resolutely in this way: 'there is no pain in being deprived of one's homeland: you have learned enough to know that any place can be a homeland to a wise man.'").

16 Sen. *Helv.* 8.2.

17 MAur. 6.44.2 ("My city and country, so far as I am Antoninus, is Rome; but so far as I am a man, it is the world.")

18 On this topic, I refer readers to A. Besson's article also in the present volume.

19 Cf. Tert. *apol.* 38.3 *Unam omnium rem publicam agnoscimus, mundum* ("The world is the only state that we recognize."). On Stoicism as it is reflected in the thought of the Church Fathers, see Spanneut (1957) and Colish (1985).

20 Aug. *civ.* 15.1 and 17.

21 Aug. *op. monach.* 33 ("all Christians are members of a single state").

22 See, for instance, Dante, *Mon.* 1.14.4–8 *Sed humanum genus potest regi per unum sup-*

world of *government*, he did not dream a world of *citizenship*",[23] it is true nonetheless that in this work one can find "the first systematic and detailed analysis in the history of cosmopolitan political thought of the concept of world government".[24]

Between 15th and 16th century, reflections on cosmopolitanism reveal an intuitive awareness of a principle of universal philanthropy[25] and a longing for a *res publica litterarum* as a shared homeland of scholars, "an ideal city where men could establish a productive commerce of ideas based on the exchange of thoughts and knowledge".[26] Furthermore, the most characteristic instance of all cosmopolitan speculation in this period is the attempt to reconcile considerations from Antiquity with those of the Church Fathers: the most outstanding representative of this "Christian Humanism" is certainly Erasmus

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premum principem, qui est Monarcha. Propter quod advertendum sane quod cum dicitur 'humanum genus potest regi per unum suppremum principem', non sic intelligendum est, ut minima iudicia cuiuscunque municipii ab illo uno immediate prodire possint [...] *Sed sic intelligendum est: ut humanum genus secundum sua comunia, que omnibus competunt, ab eo regatur et comuni regula gubernetur ad pacem. Quam quidem regulam sive legem particulares principes ab eo recipere debent, tanquam intellectus practicus ad conclusionem operativam recipit maiorem propositionem ab intellectu speculativo, et sub illa particularem, que proprie sua est, assummit et particulariter ad operationem concludit. Et hoc non solum possibile est uni, sed necesse est ab uno procedere, ut omnis confusio de principiis universalibus auferatur*. ("Now humanity can be ruled by one supreme Prince who is Monarch. But it must be noted well that when we assert that the human race is capable of being ruled by one supreme Prince, it is not to be understood that the petty decisions of every municipality can issue from him directly [...] But rather let it be understood that the human race will be governed by him in general matters pertaining to all peoples, and through him will be guided to peace by a government common to all. And this rule, or law, individual princes should receive from him, just as for any operative conclusion the practical intellect receives the major premise from the speculative intellect, adds thereto the minor premise peculiarly its own, and draws the conclusion for the particular operation. This government common to all not only may proceed from one; it must do so, that all confusion be removed from principles of universal import." transl. Aurelia Henry Reinhardt). On Dante's political thought in *De Monarchia* also see Vasoli (1983) 561–576 and Canning (2011) 60–80. For a broader view of "medieval cosmopolitanism" see the collection of case studies in Ganim—Legassie (2013).

23 Heater (2004) 14.

24 Heater (1996) 37.

25 This would correspond to the ideal of a "universal culture of mankind that strives to emphasize harmony rather than discord and the shared profile of all people, which remain constant through time and from place to place" (Garin [1992] 131).

26 See Bigalli (1995) 12, in reference to Poggio Bracciolini's conceptual horizon of ideas.

of Rotterdam, the incarnation of the rootless nomad intellectual who sometimes felt Dutch, sometimes German, sometimes French,[27] and who ultimately declined Zwingli's offer to become a citizen of Zürich, declaring that he preferred instead to consider himself a *civis mundi*.[28] In his indefatigable search for a lasting peace, Erasmus also became the sponsor of a "Christian pacifism and ecumenism," although he was not opposed to the humanistic ideal of a supranational community of scholars steeped in classical culture.[29]

A decisive contribution to considerations of universalism was made by the "geographic revolution" in the 15th century. The discovery of heretofore unknown and inconceivable territories and peoples configured a new conception of globality: "For the first time in the history of Western civilization, the *epistemic representation* of the world—traditionally driven by the concept of *oikoumene* ('the inhabited world')—began to overlap with the actual physical reality".[30] Consequently, the gradual broadening of intellectual as well as physical horizons led both to a further recognition of the constitutive heterogeneity of humankind and to attempts to reconcile the idea of universal brotherhood with the first elaboration of a political structure of truly global proportions.

Michel de Montaigne and Justus Lipsius[31] (as well as Guillaume Postel, who should be mentioned not in the least for coining the term "cosmopolite," the

27 "L'humanisme chrétien est un esprit, une volonté, une méthode. Un esprit d'optimisme, de mesure et d'adaptation. Une volonté d'être "homme en perfection". Une méthode de philosophie religieuse totale, faisant appel à tous les dons de l'homme, à toute son expérience, à toutes ses vertus, à toutes ses virtualités" (Halkin [1987] 31–32. On the contribution of Erasmus' extensive travels to the development of his philosophy, also see Halkin [1987] 393–404). See also Margolin (1995) 380–407 esp. and Thompson (1955).

28 Letter to Huldrych Zwingli, Basel, 3 September 1522, in Allen—Allen (1906–1958), vol. 5, 129.

29 On the pacifism that is characteristic of Erasmus' political thought, culminating in the major works *Querela pacis* (1517) and *Dulce bellum inexpertis* (1526), see Margolin (1973); Fernandez (1973); on Erasmus' *respublica litterarum* see Yoran (2010) 37–104 and 107–132 esp.

30 Scuccimarra (2006) 162. See also ibid. 165: "only then does the discourse on the *cosmos* as a unitary form of life move beyond the horizon of an unconsciously fragmented perspective to immerse itself in a fuller dimension of the real. The result is not simply an expansion of the geographic limits of the *oikoumene* as the epistemic horizon of reference for experience, but an equally extreme revision of the traditional modalities of representing mankind as an *extensive and relational totality*." (Transl. from Italian by Anna Busetto).

31 Limitations of space do not allow us to present the long list of European thinkers in the period who were concerned with this topic; we prefer to include only two of the most significant. On the subject in general, see Todorov (1982), Rubiés (1993), Pagden (1993).

first modern translation of the word from Classical Greek[32]) count among the representatives of this curiosity to explore the "other."

In the Age of Enlightenment, the concept of cosmopolitanism was further confirmed with renewed vigor. The entry "Cosmopolitain ou Cosmopolite" in the *Encyclopédie*, which suggests the equivalence of the term "*philosophe*" and "citizen of the world",[33] made explicit by Voltaire in his affirmation that "le philosophe n'est ni Français, ni Anglais, ni Florentin; il est de tout pays"[34] evidences the refusal that Enlightenment thought opposed to the tyranny of a restricted sense of territorial belonging. The restoration of the humanistic notion of the *respublica litteraria* also characterizes 18th-century thought in a more élitist paradigm where it becomes a *topos* for the public self-representation of the Enlightenment. The 18th-century *république des lettres* occupies a transnational dimension, participatory and egalitarian, of critical confrontation and intellectual cooperation,[35] exclusively reserved for a society of learned men: the *philosophes* considered themselves to be "a race apart," a unique social class, the only one to which the notion of "citizen of the world" could be ascribed.[36] Their "cosmopolitan sociability" permeates their correspondence, journals, and cultural institutions (*académies, sociétés savants, sociétés de sciences*)[37] and addresses the problematics of the search for a universal language that would facilitate communication between *hommes de lettres*.[38]

However, such intellectual snobbery and the refusal to recognize territorial rootedness demonstrated by the *philosophes* also precipitated negative

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On Montaigne in particular see Kristeva (1988) 171–183 and Scuccimarra's discussion and ample bibliography in Scuccimarra (2006) 211–238.

32 On the expression "Gaulois cosmopolite", as he preferred to call himself, see Kristeva (1988) 183–186.

33 Diderot—D'Alembert (1751–1765), vol. 4 (1754), 297. See also Schlereth (1977) 1: "The typical eighteenth-century philosophe aspired to be a cosmopolite, and in turn, the cosmopolite was, by the Enlightenment's own presumptuous definition, pictured as a typical eighteenth-century philosophe»".

34 Voltaire (1816), vol. 4, 164, s.v. "Cartésianisme".

35 Scuccimarra (2006) 366 and 369.

36 Schlereth (1977) 14. On this subject, also see Bots—Waquet (1977) and Goodman (1994).

37 Schlereth (1977) 15–17.

38 See Diderot—D'Alembert (1751–1765), vol. 5 (1755), 637A: "Un idiome commun seroit l'unique moyen d'établir une correspondance qui s'étendît à toutes les parties du genre humain, et qui les liguât contre la Nature, à laquelle nous avons sans cesse à faire violence, soit dans le physique, soit dans le moral. Supposé cet idiome admis et fixé, aussitôt les notions deviennent permanentes; la distance des tems disparoît; les lieux se touchent; il se forme des liaisons entre tous les points habités de l'espace et de la durée, et tous les êtres vivans et pensans s'entretiennent".

readings of the notion of cosmopolitanism,[39] especially prevalent in the final decades of the century, together with the emergence of a growing emphasis on issues of national identity and patriotism that will take on new significance in the 19th century. Consequently, the cosmopolitan became perceived as a social egotist whose vagabond nature—physical and intellectual—was a disgraceful vehicle for pursuing one's own happiness and living like a parasite, thereby avoiding the ethical burden of the evils and miseries of the world.[40] The sense of cynical individualism intrinsic to cosmopolitanism may be inferred from Jean-Louis Fougeret de Monbron's autobiographical novel *Le Cosmopolite, ou Le citoyen du monde*, whose protagonist travels between Europe and the Ottoman Empire, declaring his refusal of any form of political or social adherence with pervasive contempt and the same lack of consideration for all places.[41] The permutation of cosmopolitanism in a commercial context—where the free access to resources becomes indiscriminate pillaging—is aptly synthesized in the words of the unscrupulous monopolist depicted by Guillaume-Thomas Raynal: "Périsse mon pays, périsse la contrée où je commande. Périsse le citoyen et l'étranger. Périsse mon associé, pourvu que je m'enrichisse de sa dépouille. Tous le lieux de l'universe me sont égaux. Lorsque j'aurai dévasté, sucé, exténué une région, il en restera toujours une autre, où je pourrai porter mon or et mon jouir en paix".[42]

The most interesting and fruitful aspect of the Enlightenment attitude, although changeable and contradictory,[43] toward the concept of "citizenship of the world", is its critique, stemming from Erasmus, of the folly of war. In a period marked by conflicts between nations, also characterized by expansionist efforts sustained by warfare, reflections on peace became a viable line of thought. The idea of a universal human community was transformed into a political and legal doctrine, capable of providing practical proposals for the foundation of

39 The disparaging acceptance of the term *cosmopolite* is emblematic of its entry in the fourth edition of the *Dictionnaire de l'Académie* (1762) 409: "A man without a country. *A cosmopolitan is not a good citizen*."

40 Moreau (1757) 105: "Les Cacouacs [= *les Philosophes des Lumières*] ne respectent aucune liaison de société, de parenté, d'amitié, ni même d'amour: ils traitent tous les hommes avec la même perfidie".

41 Fougeret de Monbron (1761) 164–165.

42 Raynal (1780) 398. On Fougeret de Monbron and Raynal see Tundo Ferente (2009a) 388.

43 The case of Jean-Jacques Rousseau is emblematic of this duality. Rousseau was both a supporter of the foundation of a supranational organization that would resolve conflicts and a partisan of the uniqueness of each nation and the virtuousness of the love of one's country. See on this subject Cavallar (2015) 76–91 and 102–105.

a supranational state. In the broad array of proposals brought forth, all ascribable to the categories of federalism or unions among states,[44] Immanuel Kant provided the most convincing proposition.[45] In his essay *Perpetual Peace: A Philosophical Sketch* (1795), he suggests granting each state a civil republican constitution, and on the level of international law he proposes the establishment of a stable federal alliance—a "league of nations" or *Völkerbund*—upheld by a "cosmopolitan right" (*Weltbürgerrecht*) that recognizes every person's right to travel to a foreign country without hostile treatment. The merit of Kant's project is that he was the first to address the problematics of international relations at the highest possible level of legal-political categorization, in other words, at the cosmopolitan level: the constructive tension of his philosophical project enable him to move beyond the more restricted view of other earlier and contemporary thinkers, making him the first true standard bearer of "universal cosmopolitanism."[46]

The development of the concepts of nation, country, and patriotism in the 19th century required that the discussion of cosmopolitanism consider (and reconcile itself with) the acknowledgment of particular national characteristics.[47] As such, it fades into a more generic internationalist and universal vision and becomes conceptually depleted, or at least conceptually reconfigured.[48] In Marxist ideology, for instance, the weakening of the concept of the state enables the development of a dual internationalist conception of socio-economic reality. On the one hand, there is the international nature of the market that has assumed global proportions. The Communist Manifesto states

44 See Archibugi (1992), Archibugi and Voltaggio (1991), Tundo Ferente (2009a) 393–394.

45 On this complex topic, which has been the object of numerous studies, see, for instance among recent bibliography, Wallace Brown (2009), Kleingeld (2013), Cavallar (2015).

46 Mori (2005) 235.

47 In the early 20th century Rudolph Meinecke points to the existence of a substantial harmony between the cosmopolitan idea and the national idea, thereby discrediting Rousseau and Voltaire's prophecies of the irreconcilability of the two positions (cf. Angelini [2012] 45). On the intersections of cosmopolitanism and the national idea, see for instance Giuseppe Mazzini's original politico-philosophical discussion in Urbinati and Recchia (2011).

48 Mori (1992): "A partire dall'Ottocento vengono dunque progressivamente meno le condizioni storiche e culturali del cosmopolitismo, sia perché il principio di nazionalità si radica ormai definitivamente nella coscienza dei popoli, sia perché perde sempre più vigore l'idea di una società naturale delle nazioni. Dovendo necessariamente partire dal riconoscimento delle singole realtà nazionali, l'aspirazione a superare i limiti di prospettive localistiche o angustamente patriottiche assume il carattere dell'internazionalismo, anziché quello del cosmopolitismo."

that "through its exploitation of the world market, the bourgeoisie has imposed a cosmopolitan design on production and consumption in all countries":[49] here the term "cosmopolitan" has negative connotations related to the effects of capitalistic globalization. On the other hand, Marxism also recognizes the internationalism of the proletarian class struggle, efficiently condensed in the famous admonition *Proletarier aller Länder, vereinigt euch!* "Workers of the world, unite!".[50]

Contemporary thought on cosmopolitanism[51] as well as *history* itself, especially in the first half of the 20th century, is nevertheless more indebted to the twofold moral and legal-political version of the Kantian cosmopolitan vision. As Michael Scrivener confirms, "Kant's faith that history was on the side of cosmopolitanism has been rendered absurd (by several centuries of extraordinarily violent nationalism, including two world wars), but also paradoxically prescient (by the subsequent creations by nation states of cosmopolitan structures like United Nations) [...] and there are other transnational institutions that approximate the spirit if not the letter of Kant's practical proposals for avoiding war: the International Criminal Court, the Kyoto Accords, the European Union and international human rights organizations", to which we would leastwise include the foundation of the Red Cross in the 19th century. "If one takes the long view, it is difficult to escape the perception that because of objective historical forces [...] societies are moving, as Kant thought they would, toward cosmopolitan formations and away from narrowly conceived national interests".[52]

49 Marx-Engels (1848), chap. 1: "Die Bourgeoisie hat durch ihre Exploitation des Weltmarkts die Produktion und Konsumption aller Länder kosmopolitisch gestaltet".

50 Mori (1992). For a more detailed analysis of the relationship between marxism and cosmopolitanism, see most recently Achcar (2013) 103–164.

51 Theoreticians of judicial pacifism like Hans Kelsen, Norberto Bobbio, and Jürgen Habermas count themselves among the heirs of Kant's thought; so do theoreticians of cosmopolitan social justice like Charles Beitz and Thomas Pogge; theoreticians of cosmopolitan democracy like David Held and Daniele Archibugi, and of ethical cosmopolitanism like Onora O'Neill and Martha Nussbaum (On Kant's contemporary legacy see more extensively Cavaller [2015] 165–180). In this company we must include Hannah Arendt, for whom the simple fact of being human implies a "cosmopolitan existence" that is critically nurtured by the development of a sense of community in every individual (cf. Beiner [1989] 75). More recently, Seyla Benhabib has developed a theory of global justice that is mindful of the problem of the fair distribution of resources and rights and attempts to reconcile Kantian philosophy with Hannah Arendt: cf. Benhabib (2004); Benhabib (2006).

52 Scrivener (2016) 10–11.

The philosophical discussion of cosmopolitanism was revived especially in the second half of the 20th century, "as a theoretical resource upon which to draw in order to cope with the structural changes triggered by globalization processes and to respond to the challenges raised by them, above all with reference to problems of political and social justice".[53] Regarding the 20th century and the present, it is more appropriate to speak of pluralistic cosmopolitanisms: the speculative horizon and the tradition echoed by many thinkers are as multifaceted as the range of disciplines they span.

To conclude this brief overview of the history of cosmopolitanism, it seems fitting to outline a taxonomy of contemporary cosmopolitanisms:[54] *moral cosmopolitanism* (represented respectively by Charles Beitz and Thomas Pogge, in its interactional and institutional forms), according to which membership in to a political community cannot be a source of moral privileges, so that arbitrary facts like borders and citizenship cannot influence the administration of justice.[55] *Ethical cosmopolitanism* (represented by Martha Nussbaum) focuses its discussion on the importance of an education that gives young people a sense of being citizens of the world, defining themselves not in relation to their own place of origin but endowing them with more universal goals and interests that draw their attention to the rest of the human community.[56] Diversely, the ethico-cultural cosmopolitanism of Kwame Anthony Appiah, a major theoretician of *rooted cosmopolitanism* (which respects an individual's local roots), attempts to reconcile universalism and patriotism by accepting human diversity while recognizing ethical significance.[57] These trends are typical of the North American discussion, whereas the current of *politico-judicial cosmopolitanism* is more European and related to the project of a *cosmopolitan democracy*. This concept was originally presented for the first time in *Cosmopolis. È possible una democrazia sopranazionale?* (by Daniele Archibugi, Richard Falk, David Held and Mary Kaldor) and influenced Jürgen Habermas' contemporaneous thinking on this topic.[58] The essay was written at a time when the international community was confronted by the news of the massacres in

53 Taraborrelli (2015) XIII. See also Fine (2003) and Fine (2007).

54 I am using to Taraborelli's classification (in Taraborelli [2015]) here, a valuable reference for a thorough assessment of each typology as well as the bibliography for each theorist. On contemporary cosmopolitanism also see Tundo Ferente (2009b).

55 See e.g. Beitz (2004) 11–27, Pogge (2007), Pogge (2008).

56 Besides Nussbaum (1997), also see Nussbaum (2007) and Nussbaum (2011).

57 Appiah (2002), Appiah (2005), Appiah (2006).

58 Archibugi, Falk, Held and Kaldor (1993). The influence of this work on Habermas' thought is especially evident in Habermas (1995).

Yugoslavia, the invasion of Kuwait by Saddam Hussein, and the civil war in Somalia. It begins with a recognition of the crisis in the relationship between western democracy and the nation state (or "the discomfort of democracy," to cite the title of a recent essay by Carlo Galli)[59] and examines the possibility of reforming political and judicial institutions in a truly cosmopolitan way in order to provide a global extension of democracy as a form of government that is not bound to a single state. In the following years, some of the authors articulated their own vision of the topic, sparking an ongoing debate between civil cosmopolitanism (Mary Kaldor) and political-legal cosmopolitanism, subsequently divided between social cosmopolitanism (David Held) and liberal cosmopolitanism (Daniele Archibugi).

In the 21st century as never before, with the birth of the European Union and the escalation of global relations together with the spread of technology, the term "cosmopolitanism" is used more and more to designate a standpoint and a way of life, and the cosmopolitan dimension is what characterizes all of us who often perceive ourselves as citizens of one vast "global village." In this sense, the cosmopolitan perspective is a methodological tool for analyzing current reality and the projection of future realities, as well as the reality that everyone must practice in everyday life. As Ulrich Beck states, "What is enlightenment? To have the courage to make use of one's cosmopolitan vision and to acknowledge one's multiple identities—to combine forms of life founded on language, skin colour, nationality or religion with the awareness that, in a radically insecure world, all are equal and everyone is different".[60]

So we have seen how a word and a concept that were provocatively born over 2400 years ago have crossed through the centuries, preserving an extraordinary vitality every step of the way before landing center stage in the current debate among specialists in the field as well as ordinary people. This is an extraordinary instance—more concrete and interdisciplinary than ever—of the "modernity of the classics."

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59 Galli (2011). As Taraborrelli (2015) XIII confirms: "It is thus from a cosmopolitan standpoint that it is possible to grasp and understand the crisis caused in democracy by the ongoing processes of globalization which, by undermining the principle of territorial sovereignty and the autonomy of states, have contributed to conditioning, to weakening or even to overriding the democratic and political decisions available to the individual states."

60 Beck (2006) epigraph. The same author also addresses "methodological cosmopolitism" elsewhere in Beck (2006) 75–78.

Bibliography

Achcar, G. 2013. Marxism and Cosmopolitanism. In Id. *Marxism, Orientalism, Cosmopolitanism*, 103–164. London.

Allen, P.S. and H.M. Allen, eds. 1906–1958. *Opus epistolarum Des. Erasmi Roterodami*. Oxford.

Angelini, G., ed. 2012. *Nazione democrazia e pace tra Ottocento e Novecento*. Milano.

Appiah, A.K. 2002. Cosmopolitan Patriots. In *For Love of Country: Debating the Limits of Patriotism: Martha Nussbaum with Respondents*, ed. J. Cohen, 21–29. Boston.

Appiah, A.K. 2005. *The Ethics of Identity*. Princeton.

Appiah, A.K. 2006. *Cosmopolitanism. Ethics in a World of Strangers*. New York—London.

Archibugi, D. and F. Voltaggio. 1991. *Filosofi per la pace*. Roma.

Archibugi, D. 1992. L'utopia della pace perpetua. *Democrazia e diritto* 1: 349–378.

Archibugi, D., R. Falk, D. Held and M. Kaldor. 1993. *Cosmopolis. È possibile una democrazia sopranazionale?*. Roma.

Baldry, H.C. 1965. *The Unity of Mankind in Greek Thought*. Cambridge.

Beck, U. 2006. *Cosmopolitan Vision*. Cambridge. (English transl. of *Der kosmopolitische Blick, oder: Krieg ist Frieden*. Frankfurt am Mainz, 2004).

Beiner, R., ed. 1989. H. Arendt. *Lectures on Kant's Political Philosophy*. Chicago.

Beitz, C. 2004. Cosmopolitanism and Global Justice. *The Journal of Ethics* 9: 11–27.

Benhabib, S. 2004. *The Rights of Others. Aliens, Residents and Citizens*. Cambridge.

Benhabib, S. 2006. *Another Cosmopolitanism*. Oxford.

Bigalli, D. 1995. Le arti della scrittura e la cultura delle corti. In *Storia della filosofia*, vol. III, eds. P. Rossi and C.A. Viano, 3–18. Roma–Bari.

Bots, H. and F. Waquet. 1997. *La République des lettres*. Paris.

Cacciari, G. 2003. *Geofilosofia dell'Europa*. Milano.

Canning, J. 2011. *Ideas of Power in the Late Middle Ages, 1296–1417*. Cambridge.

Cavallar, G. 2015. *Kant's embedded Cosmopolitanism. History, Philosophy, and Education for World Citizens*. Berlin–Boston.

Colish, M.L. 1985. *The Stoic Tradition from Antiquity to Early Middle Age*, vol. 2, *Stoicism in Christian Latin Thought through the Sixth Century*. Leiden.

Dictionnaire de l'Académie. 1762. Fourth edition.

Diderot, D. and M. D'Alembert, eds. 1751–1765. *Encyclopédie ou Dictionnaire raisonné des sciences, des artes et des métiers*. Paris.

Fernandez, J.A. 1973. Erasmus on the Just War. *Journal of the History of Ideas* 34: 209–226.

Fine, R. 2003. Taking the "ism" out of cosmopolitanism; an essay in reconstruction. *European Journal of Social Theory* 6 (4): 451–470.

Fine, R. 2007. *Cosmopolitanism*. London.

Fougeret de Monbron, J.-L. 1761. *Le Cosmopolite, ou Le citoyen du monde*. London.

Galli, C. 2011. *Il disagio della democrazia*. Torino.

Ganim, J.M. and S.A. Legassie. 2013. *Cosmopolitanism and the Middle Ages*. New York.

Garin, E. 1992. Problemi di religione e filosofia nella cultura fiorentina del Quattrocento. In Id., *La cultura filosofica del Rinascimento italiano. Ricerche e documenti*, 127–142. Firenze.

Goodman, D. 1994. *The Republic of Letters. A Cultural History of the French Enlightenment*. Ithaca.

Habermas, J. 1995. Kants Idee des Ewigen Friedens—aus dem historischen Abstand von 200 Jahren. *Kritische Justiz* 28: 293–319.

Halkin, L.E. 1987. *Erasme parmi nous*. Paris.

Heater, D. 1996. *World Citizenship and Government. Cosmopolitan Ideas in the History of Western Political Thought*. New York.

Heater, D. 2004. *Citizenship: the Civic Ideal in the World History, Politics and Education*. Manchester and New York. Third edition.

Kleingeld, P. 2013. *Kant and Cosmopolitanism. The Philosophical Ideal of World Citizenship*. Cambridge.

Konstan, D. 2009. Cosmopolitan traditions. In *A Companion to Greek and Roman Political Thought*, ed. R.K. Balot, 471–484. Chichester – Malden (Mass.).

Kristeva, J. 1988. *Étrangers à nous-mêmes*. Paris.

Lana, I. 1973. Tracce di dottrine cosmopolitiche in Grecia prima del cinismo. In Id. *Studi sul pensiero politico classico*. 231–253. Napoli.

Lavan, M., R.E. Payne and J. Weisweiler, eds. 2016. *Cosmpolitanism and Empire. Cosmopolitanism and Empire: Universal Rulers, Local Elites, and Cultural Integration in the Ancient Near East and Mediterranean*. Oxford.

Margolin, J. 1973. *Guerre et paix dans la pensée d'Erasme*. Paris.

Margolin, J. 1995. *Erasme precepteur de l'Europe*. Paris.

Marx, K. and F. Engels. 1848. *Manifest der Kommunistischen Partei*. London.

Moles, J.L. 1996. Cynic Cosmopolitanism. In *The Cynics. The Cynic movement in antiquity and its legacy*, eds. R. Bracht Branham and M.-O. Goulet-Cazé, 105–120. Berkeley.

Moreau, J.-N. 1757. Premiér mémoire sur le Cacouacs. In Id. *Nouveau mémoire pur servir à l'histoire des Cacouacs*. Amsterdam.

Mori, M. 1992. Cosmopolitismo. In *Enciclopedia delle scienze sociali*. Roma (http://www.treccani.it/enciclopedia/cosmopolitismo_%28Enciclopedia-delle-scienze-sociali%29/).

Mori, M. 2005. Europeismo e Cosmopolitismo in Kant. In *Kant e l'idea di Europa*, eds. P. Becchi, G. Cunico and O. Meo, 219–236. Genova.

Nussbaum, M. 1997. *Cultivating Humanity. A Classical Defense of Reform in Liberal Education*. Cambridge (Mass).

Nussbaum, M. 2007. The Capabilities Approach and Ethical Cosmopolitanism: A Response to Noah Feldman. *Yale Law Journal* 117 (http://www.yalelawjournal.org/

forum/the-capabilities-approach-andethical-cosmopolitanism-a-response-to-noah-feldman).

Nussbaum, M. 2011. *Creating Capabilities: The Human Development Approach*. Cambridge (Mass.).

Pagden, A. 1993. *European Encounters with the New World. From Renaissance to Romanticism*. New Haven–London.

Pogge, T.W.M. 2007. Cosmopolitanism. In *A Companion to Contemporary Political Philosophy*, eds. R.E. Goodin, P. Pettit and T.W.M. Pogge, 312–331. Oxford.

Pogge, T.W.M. 2008. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge (Mass.).

Raynal, G.T.F. 1780. *Histoire philosophique et politique des établissemens et du commerce des Européens dans les deux Indes*. Génève.

Richter, D.S. 2011. *Cosmopolis: Imagining Community in Late Classical Athens and the Early Roman Empire*. Oxford.

Rovisco, M. and M. Nowicka, eds. 2011. *The Ashgate Research Companion to Cosmopolitanism*. Farnham.

Rubiés, J.P. 1993. New Worlds and Renaissance Ethnology. *History and Anthropology* 6: 157–197.

Schlereth, T.J. 1977. *The Cosmopolitan Ideal in the Enlightenment Thought. Its Form and Function in the Ideas of Franklin, Hume and Voltaire, 1694–1790*. Notre Dame (Ind.).

Scrivener, M. 2016. *The Cosmopolitan Ideal in the Age of Revolution and Reaction, 1776–1832*. London–New York.

Scuccimarra, L. 2006. *I confini del mondo. Storia del cosmopolitismo dall'Antichità al Settecento*. Bologna.

Sinclair, T.A. 1952. *A History of Greek Political Thought*. London.

Spanneut, M. 1957. *Le Stoicisme des Pères de l'Eglise de Clément de Rome à Clément d'Alexandrie*. Paris.

Taraborrelli, A. 2015. *Contemporary Cosmopolitanism*. London–New Dehli–New York–Sydney (English transl. of *Il cosmopolitismo contemporaneo*. Roma–Bari, 2011).

Thompson, C.R. 1955. Erasmus as Internationalist and Cosmopolitan. *Archiv für Reformationgeschichte* 46: 167–195.

Todorov, T. 1982. *La conquête de l'Amérique. La question de l'autre*. Paris.

Tundo Ferente, L. 2009. L'utopia cosmopolitica moderna. *MORUS—Utopia e Renascimento* 6: 381–396. [= Tundo Ferente (2009a)]

Tundo Ferente, L. 2009. *Cosmopolitismo contemporaneo. Moralità, politica, economia*. Perugia. [= Tundo Ferente (2009b)]

Urbinati, N. and S. Recchia, eds. 2011. *Giuseppe Mazzini. Cosmopolitismo e Nazione—Scritti sulla democrazia, l'autodeterminazione dei popoli e le relazioni internazionali*. Roma.

Vasoli, C. 1983. Papato e Impero nel tardo Medioevo: Dante, Marsilio, Ockham. In *Storia delle idee politiche, economiche, sociali*, ed. L. Firpo, vol. 2, t. 2., 543–665. Torino.

Voltaire (*scil.* Arouet, F.-M.). 1816. *Dictionnaire philosophique*. Paris.

Wallace Brown, G. 2009. *Grounding Cosmopolitanism. From Kant to an Idea of Cosmopolitan Constitution*. Edinburgh.

Yoran, H. 2010. *Between Utopia and Dystopia. Erasmus, Thomas More, and the Humanist Republic of Letters*. Plymouth.

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